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MATT BLUNT

SECRETARY OF STATE

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Documents will be accepted for filing on all regular workdays from 8:00 a.m. until 5:00 p.m. We encourage early filings to facilitate the timely publication of the *Missouri Register*. Orders of Rulemaking appearing in the *Missouri Register* will be published in the *Code of State Regulations* and become effective as listed in the chart above. Advance notice of large volume filings will facilitate their timely publication. We reserve the right to change the schedule due to special circumstances. Please check the latest publication to verify that no changes have been made in this schedule. To review the entire year's schedule, please check out the website at <http://www.sos.mo.gov/adrules/pubsched.asp>

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HOW TO CITE RULES AND RSMo

RULES—Cite material in the *Missouri Register* by volume and page number, for example, Vol. 28, *Missouri Register*, page 27. The approved short form of citation is 28 MoReg 27.

The rules are codified in the *Code of State Regulations* in this system—

Title	Code of State Regulations	Division	Chapter	Rule
1	CSR	10-	1.	010
Department		Agency, Division	General area regulated	Specific area regulated

They are properly cited by using the full citation , i.e., 1 CSR 10-1.010.

Each department of state government is assigned a title. Each agency or division in the department is assigned a division number. The agency then groups its rules into general subject matter areas called chapters and specific areas called rules. Within a rule, the first breakdown is called a section and is designated as (1). Subsection is (A) with further breakdown into paragraph 1., subparagraph A., part (I), subpart (a), item I. and subitem a.

RSMo—The most recent version of the statute containing the section number and the date.

Rules appearing under this heading are filed under the authority granted by section 536.025, RSMo 2000. An emergency rule may be adopted by an agency if the agency finds that an immediate danger to the public health, safety or welfare, or a compelling governmental interest requires emergency action; follows procedures best calculated to assure fairness to all interested persons and parties under the circumstances; follows procedures which comply with the protections extended by the *Missouri* and the *United States Constitutions*; limits the scope of such rule to the circumstances creating an emergency and requiring emergency procedure, and at the time of or prior to the adoption of such rule files with the secretary of state the text of the rule together with the specific facts, reasons and findings which support its conclusion that there is an immediate danger to the public health, safety or welfare which can be met only through the adoption of such rule and its reasons for concluding that the procedure employed is fair to all interested persons and parties under the circumstances.

Rules filed as emergency rules may be effective not less than ten (10) days after filing or at such later date as may be specified in the rule and may be terminated at any time by the state agency by filing an order with the secretary of state fixing the date of such termination, which order shall be published by the secretary of state in the *Missouri Register* as soon as practicable.

All emergency rules must state the period during which they are in effect, and in no case can they be in effect more than one hundred eighty (180) calendar days or thirty (30) legislative days, whichever period is longer. Emergency rules are not renewable, although an agency may at any time adopt an identical rule under the normal rulemaking procedures.

Title 22—MISSOURI CONSOLIDATED HEALTH CARE PLAN Division 10—Health Care Plan Chapter 2—Plan Options

EMERGENCY AMENDMENT

22 CSR 10-2.020 Membership Agreement and Participation Period. The board is amending subsection (7)(D).

PURPOSE: *This amendment includes changes in the membership agreement and participation period made by the board of trustees regarding the Missouri Consolidated Health Care Plan.*

EMERGENCY STATEMENT: *This emergency amendment must be in place by January 1, 2004, in accordance with the new plan year. Therefore, this rule is necessary to protect members (employees, retirees and their families) enrolled in the Missouri Consolidated Health Care Plan (MCHCP) from the unintended consequences of having their health insurance coverage interrupted due to confusion regarding eligibility or availability of benefits. Further, it clarifies member eligibility and responsibility for various types of eligible charges, beginning with the first day of coverage for the new plan year. It may also help ensure that inappropriate claims are not made against the state and help protect the MCHCP and its members from being subjected to unexpected and significant financial liability and/or litigation. It is imperative that this rule be registered imme-*

diately in order to maintain the integrity of the current health care plan. This emergency amendment must become effective January 1, 2004, in order that an immediate danger is not imposed on the public welfare. This rule reflects changes made to the plan by the Missouri Consolidated Health Care Plan Board of Trustees. This emergency amendment complies with the protections extended by the Missouri and United States Constitutions and limits its scope to the circumstances creating the emergency. The MCHCP follows procedures best calculated to assure fairness to all interested persons and parties under the circumstances. Emergency amendment filed December 19, 2003, becomes effective January 1, 2004, and expires June 28, 2004.

(7) Continuation of Coverage.

(D) Leave of Absence. An employee on approved leave of absence may elect to retain eligibility to participate in the plan by paying the required contributions. The employing department must officially notify the plan administrator of the leave of absence and any extension of the leave of absence by submitting the required form. Any employee on an approved leave of absence who was a member of the Missouri Consolidated Health Care Plan when the approved leave began, but who subsequently terminated participation in the Missouri Consolidated Health Care Plan while on leave, may recommence his/her coverage in the plan at the same level (employee only, or employee and dependents) upon returning to employment directly from the leave, but they will be subject to preexisting limitations, when applicable. Preexisting limitations under this provision will not apply to HMO or POS members. However, eligibility is terminated for those members receiving a military leave of absence, as specified in subsection (5)(C). Coverage may be reinstated upon return from military leave without proof of insurability or preexisting conditions. However, the former member must complete an enrollment form. **Coverage under this provision is effective on the first of the month coinciding with or following the employee's return to work. Coverage will be continuous if the employee returns to work in the subsequent month following the initial leave date and timely requests reinstatement of coverage.**

AUTHORITY: *section 103.059, RSMo 2000. Emergency rule filed Dec. 16, 1993, effective Jan. 1, 1994, expired April 30, 1994. Emergency rule filed April 4, 1994, effective April 14, 1994, expired Aug. 11, 1994. Original rule filed Dec. 16, 1993, effective July 10, 1994. For intervening history, please consult the Code of State Regulations. Emergency amendment filed Dec. 19, 2003, effective Jan. 1, 2004, expires June 28, 2004. A proposed amendment covering this same material will be published in the Feb. 2, 2004 issue of the Missouri Register.*

Under this heading will appear the text of proposed rules and changes. The notice of proposed rulemaking is required to contain an explanation of any new rule or any change in an existing rule and the reasons therefor. This is set out in the Purpose section with each rule. Also required is a citation to the legal authority to make rules. This appears following the text of the rule, after the word "Authority."

Entirely new rules are printed without any special symbolology under the heading of the proposed rule. If an existing rule is to be amended or rescinded, it will have a heading of proposed amendment or proposed rescission. Rules which are proposed to be amended will have new matter printed in boldface type and matter to be deleted placed in brackets.

An important function of the *Missouri Register* is to solicit and encourage public participation in the rulemaking process. The law provides that for every proposed rule, amendment or rescission there must be a notice that anyone may comment on the proposed action. This comment may take different forms.

If an agency is required by statute to hold a public hearing before making any new rules, then a Notice of Public Hearing will appear following the text of the rule. Hearing dates must be at least thirty (30) days after publication of the notice in the *Missouri Register*. If no hearing is planned or required, the agency must give a Notice to Submit Comments. This allows anyone to file statements in support of or in opposition to the proposed action with the agency within a specified time, no less than thirty (30) days after publication of the notice in the *Missouri Register*.

An agency may hold a public hearing on a rule even though not required by law to hold one. If an agency allows comments to be received following the hearing date, the close of comments date will be used as the beginning day in the ninety (90)-day-count necessary for the filing of the order of rulemaking.

If an agency decides to hold a public hearing after planning not to, it must withdraw the earlier notice and file a new notice of proposed rulemaking and schedule a hearing for a date not less than thirty (30) days from the date of publication of the new notice.

Proposed Amendment Text Reminder:

Boldface text indicates new matter.

[Bracketed text indicates matter being deleted.]

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 70—State Board of Chiropractic Examiners Chapter 4—Chiropractic Insurance Consultant

PROPOSED AMENDMENT

4 CSR 70-4.010 Chiropractic Insurance Consultant. The board is proposing to amend sections (1) and (3).

PURPOSE: This amendment clarifies the biennial renewal requirement for the chiropractic insurance consultant.

(1) All licensees who review chiropractic records for the purposes of determining the adequacy or sufficiency of chiropractic treatments, or the clinical indication for those treatments, must be certified to do so and shall notify the board *[annually]* **biennially** that they are engaged in those activities and the location where those activities are performed.

(3) All licensees must report *[annually]* **biennially** to the board the number of reviews which they conduct and the amount of their income derived from claims review expressed as a percentage of their total income from the practice of chiropractic.

AUTHORITY: sections 331.060, 331.100.2[,] and 376.423, RSMo [1986] 2000. Emergency rule filed Dec. 21, 1990, effective Dec. 31, 1990, expired April 29, 1991. Original rule filed Oct. 16, 1990, effective April 29, 1991. For intervening history, please consult the Code of State Regulations. Amended: Filed Dec. 15, 2003.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the State Board of Chiropractic Examiners, Loree Kessler, Executive Director, PO Box 672, Jefferson City, MO 65102 or via e-mail at chiro@mail.state.mo.us. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 70—State Board of Chiropractic Examiners Chapter 4—Chiropractic Insurance Consultant

PROPOSED AMENDMENT

4 CSR 70-4.030 Renewal and Postgraduate Education. The board is proposing to amend sections (1) and (2) and deleting the form that follows this rule in the *Code of State Regulations*.

PURPOSE: This amendment clarifies the biennial renewal and continuing education requirement for the chiropractic insurance consultant.

(1) The chiropractic insurance consultant's certification shall be renewed *[annually]* **biennially**. The board shall send a notice to each certified consultant.

(2) To renew the certification the chiropractic insurance consultant annually shall obtain twelve (12) hours of postgraduate education in insurance consulting *[which has been]* approved by the board. This postgraduate education *[is in addition to the postgraduate education required to renew the consultant's chiropractic license]* shall be in compliance with 4 CSR 70-2.080(4) for the general studies category of continuing education required to renew the consultant's chiropractic license.

AUTHORITY: sections 331.060, 331.100.2[,] and 376.423, RSMo [1986] 2000 and 331.050, RSMo Supp. 2003. Original rule filed Feb. 15, 1991, effective July 8, 1991. Amended: Filed March 4, 1993, effective Sept. 9, 1993. Amended: Filed Dec. 15, 2003.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: *Anyone may file a statement in support of or in opposition to this proposed amendment with the State Board of Chiropractic Examiners, Loree Kessler, Executive Director, PO Box 672, Jefferson City, MO 65102 or via e-mail at chiro@mail.state.mo.us. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 110—Missouri Dental Board
Chapter 2—General Rules**

PROPOSED AMENDMENT

4 CSR 110-2.130 Dental Hygienists. The board is proposing to amend paragraph (8)(B)3.

PURPOSE: *This amendment eliminates the requirement that the document reflecting proof of the dental hygienist's competency be notarized.*

- (8) A hygienist may administer nitrous oxide analgesia if s/he:
- (B) Obtains a nitrous oxide analgesia permit, issued by the board, upon submitting the following:
1. A completed application form provided by the board; and
 2. A nonrefundable fee, payable to the Missouri Dental Board; and
 3. A [notarized] copy of proof of competency.

AUTHORITY: *sections 332.031 and 332.091, RSMo 2000 and 332.071 and 332.311, RSMo [Supp. 1999] Supp. 2003. Original rule filed Dec. 12, 1975, effective Jan. 12, 1976. For intervening history, please consult the Code of State Regulations. Amended: Filed Dec. 15, 2003.*

PUBLIC COST: *This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

PRIVATE COST: *This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

NOTICE TO SUBMIT COMMENTS: *Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Dental Board, Sharlene Rimiller, Executive Director, PO Box 1367, Jefferson City, MO 65102 by facsimile at (573) 751-8216 or by e-mailing dental@mail.state.mo.us. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 205—Missouri Board of Occupational Therapy
Chapter 3—Licensure Requirements**

PROPOSED AMENDMENT

4 CSR 205-3.030 Application for Limited Permit. The board is proposing to amend the language in section (8).

PURPOSE: *This rule is being amended to clearly state who is eligible to renew a limited permit.*

(8) [Only those individuals who did not successfully complete their first available examination may renew their limited permit.] Only those individuals who completed their first

available examination but failed to achieve a passing score may renew their limited permit. The limited permit may be renewed only once using the form provided by the board. A renewed limited permit will be valid for eight (8) weeks from the date of the limited permit holder's second available examination. If the limited permit holder successfully completes the second available examination with a passing score, the limited permit will be extended for an additional sixty (60) days during which time the limited permit holder may apply for a license.

AUTHORITY: *sections 324.050, 324.056, 324.065, 324.068 and 324.077, RSMo 2000 and 324.086, RSMo Supp. [2001] 2003. Original rule filed Aug. 4, 1998, effective Dec. 30, 1998. Amended: Filed June 1, 2000, effective Nov. 30, 2000. Amended: Filed Oct. 30, 2002, effective April 30, 2003. Amended: Filed Dec. 15, 2003.*

PUBLIC COST: *This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

PRIVATE COST: *This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

NOTICE TO SUBMIT COMMENTS: *Anyone may file a statement in support of or in opposition to this proposed amendment with Vanessa Beauchamp, Executive Director, State Board of Occupational Therapy, PO Box 1335, Jefferson City, MO 65102, by facsimile at (573) 526-3489, or via e-mail at ot@mail.state.mo.us. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 220—State Board of Pharmacy
Chapter 2—General Rules**

PROPOSED AMENDMENT

4 CSR 220-2.300 Record Confidentiality and Disclosure. The board is proposing to amend the original purpose statement, section (1) and subsections (2)(B), (2)(C), (2)(E), (2)(F), (2)(G), add a new subsection (2)(H) and section (4) to comply with the requirements of the Health Insurance Portability and Accountability Act of 1996 (HIPAA).

PURPOSE: *This amendment will create language to require pharmacies to comply with the Health Insurance Portability and Accountability Act of 1996 (HIPAA).*

PURPOSE: *This rule establishes [guidelines] requirements for the confidentiality and disclosure of records related to patient care.*

(1) Prescription records, physician orders and other records related to any patient care or medical condition(s) of a patient that are maintained by a pharmacy in accordance with section 338.100, RSMo shall be considered confidential. Adequate security shall be maintained over such records in order to prevent any indiscriminate or unauthorized use of any written, electronic or verbal communications of confidential information.

(2) Confidential records shall not be released to anyone except—

(B) [The authorized prescriber who issued the prescription order or a licensed health professional who is currently treating the patient] A health care provider involved in treatment activities of the patient;

(E) Any other person or entity authorized by a patient to receive such information;

(F) For /T/ the transfer of medical or prescription information between pharmacists as provided by law; /or/

(G) Government agencies acting within the scope of their statutory authority/.; or

(H) A person or entity to whom such information may be disclosed under 45 CFR Parts 160 and 164 (the Privacy Standards of the Health Insurance Portability and Accountability Act of 1996).

(4) Methods to access, transmit, store, analyze, or purge confidential information shall be implemented using procedures generally recognized as secure by experts qualified by training and experience. Procedures shall be in place to ensure that purged confidential information cannot be misused or placed into active operation without appropriate authorization as provided in this rule. Internet connectivity or remote access tied directly to systems containing confidential information must be secure as provided for in 4 CSR 220-2.085(2)(B).

AUTHORITY: sections 338.100, 338.140 and 338.280, RSMo 2000. Original rule filed May 4, 1995, effective Dec. 30, 1995. Rescinded and readopted: Filed Nov. 1, 2000, effective June 30, 2001. Amended: Filed Dec. 15, 2003.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the State Board of Pharmacy, Kevin Kinkade, Executive Director, PO Box 625, Jefferson City, MO 65102, via facsimile to (573) 526-3464 or e-mail at pharmacy@mail.state.mo.us. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 41—General Tax Provisions**

PROPOSED AMENDMENT

12 CSR 10-41.010 Annual Adjusted Rate of Interest. The department proposes to amend section (1).

PURPOSE: Under the Annual Adjusted Rate of Interest (section 32.065, RSMo), this amendment establishes the 2004 annual adjusted rate of interest to be implemented and applied on taxes remaining unpaid during calendar year 2004.

(1) Pursuant to section 32.065, RSMo, the director of revenue upon official notice of the average predominant prime rate quoted by commercial banks to large businesses, as determined and reported by the Board of Governor's of the Federal Reserve System in the Federal Reserve Statistical Release H.15(519) for the month of September of each year has set by administrative order the annual adjusted rate of interest to be paid on unpaid amounts of taxes during the succeeding calendar year as follows:

Calendar Year	Rate of Interest on Unpaid Amounts of Taxes
1995	12%
1996	9%
1997	8%
1998	9%

1999	8%
2000	8%
2001	10%
2002	6%
2003	5%
2004	4%

AUTHORITY: section 32.065, RSMo 2000. Emergency rule filed Oct. 13, 1982, effective Oct. 23, 1982, expired Feb. 19, 1983. Original rule filed Nov. 5, 1982, effective Feb. 11, 1983. For intervening history, please consult the *Code of State Regulations*. Emergency amendment filed Nov. 17, 2003, effective Jan. 1, 2004, expires June 28, 2004. Amended: Filed Nov. 17, 2003.

PUBLIC COST: This proposed amendment will have an impact to public entities, a fiscal note reflecting this is attached. Because the future amount of past due taxes is unknown, the precise dollar impact on public entities is also unknown. There are no expenditures required by this regulation; however because the amount of interest collected on past due amounts of taxes will be at a reduced rate, the aggregate impact on public entities will be more than five hundred dollars (\$500).

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Revenue, Office of Legislation and Regulations, PO Box 629, Jefferson City, MO 65105-0629. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**FISCAL NOTE
PUBLIC COST**

I. RULE NUMBER

Rule Number and Name:	12 CSR 10-41.010 Annual Adjusted Rate of Interest
Type of Rulemaking:	Proposed Amendment

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
Counties	There are no expenditures required by this regulation; however because the amount of interest collected on past due amounts of taxes will be at a reduced rate, the aggregate impact on public entities will be more than \$500. Because the future amount of pastdue taxes is unknown, the precise dollar impact on public entities is also unknown, however, for interest accrued on tax amounts owed as of or after the effective date of this rule, the cost to the state will be \$10 per year for every \$1000 of tax owed.
Cities	
Special Taxing Districts	

III. WORKSHEET

The proposed amendment adjusts the rate of interest for 2004 to 4%, down from 5% in 2003.

IV. ASSUMPTIONS

Pursuant to Section 32.065, RSMo, the director of revenue is mandated to establish an annual adjusted rate of interest based upon the adjusted prime rate charged by banks during September of that year as set by the Board of Governors of the Federal Reserve rounded to the nearest full percent.

This section will contain the final text of the rules proposed by agencies. The order of rulemaking is required to contain a citation to the legal authority upon which the order of rulemaking is based; reference to the date and page or pages where the notice of proposed rulemaking was published in the *Missouri Register*; an explanation of any change between the text of the rule as contained in the notice of proposed rulemaking and the text of the rule as finally adopted, together with the reason for any such change; and the full text of any section or subsection of the rule as adopted which has been changed from that contained in the notice of proposed rulemaking. The effective date of the rule shall be not less than thirty (30) days after the date of publication of the revision to the *Code of State Regulations*.

The agency is also required to make a brief summary of the general nature and extent of comments submitted in support of or opposition to the proposed rule and a concise summary of the testimony presented at the hearing, if any, held in connection with the rulemaking, together with a concise summary of the agency's findings with respect to the merits of any such testimony or comments which are opposed in whole or in part to the proposed rule. The ninety (90)-day period during which an agency shall file its order of rulemaking for publication in the *Missouri Register* begins either: 1) after the hearing on the proposed rulemaking is held; or 2) at the end of the time for submission of comments to the agency. During this period, the agency shall file with the secretary of state the order of rulemaking, either putting the proposed rule into effect, with or without further changes, or withdrawing the proposed rule.

**Title 1—OFFICE OF ADMINISTRATION
Division 10—Commissioner of Administration
Chapter 18—Retirement Policy**

ORDER OF RULEMAKING

By the authority vested in the commissioner of administration under section 104.404, RSMo, the commissioner adopts a rule as follows:

1 CSR 10-18.010 Retirement Policy is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 2, 2003 (28 MoReg 1482-1483). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Office of Administration received comments from ten (10) individuals concerning the impact the retirement bill would have on seven (7) state agencies: Department of Transportation; Department of Conservation; Department of Corrections; Department of Mental Health; Department of Health and Senior Services; Department of Economic Development (plus separate letters addressing the Board of Pharmacy, Board of Nursing and Public Service Commission); and Department of Social Services.

Most comments indicated that additional job classes should be authorized under the definition of "critical" provided in the rule. Some of the occupations requested as critical are therapists, cooks and food service workers, case managers, teachers, facility inspectors, child support enforcement technicians, corrections caseworkers, investigators, laboratory managers, epidemiologists, emergency man-

agement officers, community health nurses, health program administrators, computer programmers, market specialists, licensing technicians and financial examiners. Some agencies provided specific functions and responsibilities that will not be performed if positions are not filled, for example, supervisory duties. Also professional level job responsibilities will suffer as necessary clerical functions are performed by professionals.

Other comments indicated that agencies are already seriously understaffed and not being able to refill positions would jeopardize services to their clients. Some agencies indicated exceptions should be made for positions that are "fee funded" and other non-general revenue funded positions.

COMMENT: The Missouri Highways and Transportation Commission elected not to participate in the early retirement incentive plan.

COMMENT: The Missouri Department of Conservation cited Article IV, Section 42 of the *Missouri Constitution* which states in part, "The commission shall appoint a director of conservation who, with its approval, shall appoint the assistants and other employees deemed necessary by the commission." The commission went on to state that "vacancies created due to the medical incentive will be reviewed and, if deemed necessary, employees will be appointed in order to maintain the appropriate workforce necessary for the department to meet its mission of protecting and managing the resources of the state and serving the public." According to the Conservation Commission, the language requiring department directors to petition the commissioner of administration for exceptions is contrary to the provisions of the *Missouri Constitution* and attempts to supersede the constitutional authority granted to the Conservation Commission. Therefore, the commission cannot support these emergency and proposed rules.

COMMENT: The Department of Natural Resources requested exemptions for positions funded by constitutional amendment imposing a parks and soils sales tax and for positions funded by fees negotiated with industries and businesses for specific services. The department explained that in the latter category, the dedicated fees are used as a match to obtain federal funds in many cases. The department also commented that park rangers should be included as positions required to ensure the public health and safety.

COMMENT: The Department of Corrections (DOC) commented that in addition to the custodial and probation and parole job classes offered in the rule, there are seven (7) classes of positions critical to the safety and security of DOC institutions; nine (9) classes of positions critical to the operation of Missouri Vocational Enterprises; nine (9) classes of positions critical to ensuring the successful transition of offenders back into the community; five (5) classes of positions that contribute to the health and well-being of inmates; six (6) classes of positions that, if left vacant, would have serious repercussions on public health and safety and effective control of offenders; and two (2) classes that conduct departmental investigations.

COMMENT: The Department of Mental Health proposed the inclusion of therapists in their facilities as critical classes. This includes Licensed Clinical Social Workers and Licensed Professional Counselors who provide evaluation and therapy. These positions are essential for meeting ICF-MR and JCAHO accreditation, which is required for reimbursement for services. In addition, the department is seeking to designate fifteen (15) positions as critical to the case management, personal care, feeding, safety and security of residents, and monitoring of forensic clients. The forensic case monitors ensure the department is able to provide the monitoring required by statute and ordered by the courts.

COMMENT: The Department of Health and Senior Services provided an extensive list of positions and commented that, if left vacant, they cannot carry out their statutory mission. The department positions are necessary to fulfill federal certification requirements, statutory mandates and services to citizens. These include

positions involving child care inspections; manufacturing and distribution of controlled drugs; nursing home care; protection from individuals with criminal backgrounds or history of abuse; state health lab testing; bioterrorism response and emergency preparedness; prevention of infectious, contagious and communicable diseases; oversight of health issues of women and children; community based organizations and support of local health agencies; vital record maintenance; and health care cost containment efforts.

COMMENT: The Department of Social Services commented that due to the recent hiring freeze, a substantial number of work units within the department are already alarmingly understaffed. At this point, the workforce cannot meet the expectations and demands of the jobs. Caseloads expand out of control. Overtime is mandatory to provide required services and appropriate coverage. The twenty-five percent (25%) limitation on refilling positions will adversely affect the ability of DSS' workforce to provide basic services to Missouri citizens.

The Division of Youth Services (DYS) operates Missouri's juvenile facilities. DYS has been cited as a model juvenile justice program, but would be impacted in several ways: Education classes would be combined; additional crowding will heighten conflicts between youths; individual attention would be significantly diminished. Two (2) or more facilities would be combined, which could result in loss of federal funding. Supervisory oversight will diminish. Overall, the division will lose a large part of its focus on treatment, as professional workers will be required to also perform clerical tasks.

Division of Family Services (DFS) and Division of Child Support provide public assistance and ensure the health and safety of children. Child abuse and neglect investigations will be delayed. DFS will not be able to respond to all calls; DFS is already unable to meet Food Stamp compliance rates, resulting in more monetary sanctions from the federal government. Statutory mandates will take precedence over technical assistance and quality assurance efforts. Licensing of facilities will be delayed. Responses to constituents will be delayed. Child support collections will decrease, affecting federal funding. Paternity establishment will decrease due to increased volume of cases. Supervision of staff will be further diluted impacting the quality of services.

The Division of Legal Services would conduct four hundred (400) fewer Medicaid fraud investigations and lose two hundred thousand dollars (\$200,000) annually due to securing fewer promissory notes on overpayments.

The Division of Medical Services will be unable to process provider forms in a timely manner resulting in delays, complaints, noncompliance, the increased possibility of fraud and loss of federal funding.

In addition to the critical classes in the rule, the department needs to refill teachers, cooks, child support enforcement technicians, supervisors and managers. "Critical" class employees (Caseworkers, Social Service Workers, etc.) will be involved in non-critical functions. Overall, the ability of the department to provide for the care, safety and health of their clients will be greatly diminished. Critical services to children and families will be delayed or non-existent because of staff shortages and increased workloads. Only filling positions at the twenty-five percent (25%) rate would be debilitating to the department and clients of the department.

COMMENT: The Department of Economic Development commented that the Computer Information Technology Specialist II (MIS Application Development Manager) is critical to the department's efforts to develop application code, support the Internet/Intranet and other critical systems. The unit (currently staffed at seventy percent (70%)) is heavily involved in the workforce consolidation effort and must meet critical timelines. This job is critical to the success of MIS to implement new efficiencies and long-term, technical solutions for the department. The department considers this a critical position.

The Business Services Division has been formed to better provide services and accommodate substantial budget reductions. This is a

merger of two (2) former business groups, Business Development and Business Expansion and Attraction. The two (2) budgets have been reduced from a combined sixty-seven (67) staff and \$16.8 million GR to thirty-nine (39) staff and \$7.3 million GR. The division experienced five (5) retirements reducing the staffing to thirty-four (34). The department is requesting two (2) marketing specialist positions be filled. Both of these positions focus on marketing Missouri as a great place to do business, help existing companies increase sales and improve Missouri's economic status with regard to businesses and jobs.

The Missouri Veterinary Medical Board and Board of Examiners for Hearing Instrument Specialists share three (3) staff positions. The licensing technician position is involved in board meeting preparation, administration of examinations, processing applications for permanent and temporary licenses, which vary from one to fifty (1 to 50) per day.

The Division of Finance requests filling a senior financial examiner position to maintain adequate staffing to perform examinations of financial institutions. The division performs a staffing analysis to determine projected hours to complete examination requirements. This takes into consideration the number, size, condition and complexity of each institution in a district. As it takes four (4) years to train an examiner, the division is in a constant "building" process due to average turnover of about eighteen percent (18%) a year for the past five (5) years. The volume of banks that are regulated continue to increase which results in more work for the examiners. It is critical to maintain the current examiner base.

COMMENT: The Department of Economic Development—Board of Pharmacy commented outlining the criticality of a position that supports the Board of Pharmacy. Without proper staffing, services to the public and the profession suffer. There is a backlog of correspondence as well as licenses to process. Reviews of out-of-state distributors and their licensure status is not being accomplished. Some services are being accomplished through overtime and other means, but the expertise to carry out the important mandates of the board are not present. This position is unique and must be available to assure effective operations for public safety.

COMMENT: The Department of Economic Development—State Board of Nursing believes that employees of the Division of Professional Registration should be exempted. The Division of Professional Registration is fee funded and neither receives or contributes to general revenue. Boards within the Division of Professional Registration pay retiree health care costs through the cost allocation plan. The regulation of licensed professionals and investigation of complaints, particularly in health care are critical functions that require full staffing.

COMMENT: The Missouri Public Service Commission (PSC) commented that the twenty-five percent (25%) restriction on hiring in the retirement legislation and rule conflicts with legislation affecting the PSC that "mandates an independent technical advisory staff for the Public Service Commission." Essentially this specific legislation allows the Commission to hire up to eleven (11) new employees to fill a maximum of eleven (11) authorized positions. These positions could be filled to the extent there is a corresponding elimination of comparable staff positions to offset the hiring of technical advisory staff on a cost neutral basis. The PSC contends the twenty-five percent (25%) hiring restriction violates the cost neutral staffing provisions of HB 208. Further legal interpretations were provided to support the PSC's claims. The PSC proposes three (3) positions as "comparable" for being redirected to serve as Commission Advisory Staff: Utility Regulatory Auditor V, Consumer Services Coordinator, Senior Regulatory Law Judge.

An exception is also being sought for an employee who was on extended medical leave, whose position was refilled and the employee subsequently retired under the incentive window.

RESPONSE: The Office of Administration has reviewed the various comments submitted and agrees that many important functions will no longer be performed and that not filling positions will present

hardship to clients, citizens and agencies. Nevertheless, agencies are allowed to fill twenty-five percent (25%) of the positions from which employees retire. Additional exceptions have been identified in the retirement legislation for critical and federally funded positions that the Office of Administration has further defined in the rule. The rule also provides a mechanism for each agency to petition the commissioner of administration for exceptions for specific positions "where it is demonstrated that there is an imminent risk to human health and safety or substantial revenues will be lost with no opportunity for future recovery."

Title 1—OFFICE OF ADMINISTRATION
Division 20—Personnel Advisory Board and Division of Personnel
Chapter 2—Classification and Pay Plans
ORDER OF RULEMAKING

By the authority vested in the Personnel Advisory Board under section 36.070, RSMo 2000, the board amends a rule as follows:

1 CSR 20-2.015 Broad Classification Bands for Managers is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on September 15, 2003 (28 MoReg 1560). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 1—OFFICE OF ADMINISTRATION
Division 20—Personnel Advisory Board and Division of Personnel
Chapter 3—Personnel Selection, Appointment, Evaluation and Separation
ORDER OF RULEMAKING

By the authority vested in the Personnel Advisory Board under section 36.070, RSMo 2000, the board amends a rule as follows:

1 CSR 20-3.070 Separation, Suspension and Demotion is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on September 15, 2003 (28 MoReg 1560-1561). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 1—OFFICE OF ADMINISTRATION
Division 20—Personnel Advisory Board and Division of Personnel
Chapter 5—Working Hours, Holidays and Leaves of Absence
ORDER OF RULEMAKING

By the authority vested in the Personnel Advisory Board under section 36.070, RSMo 2000, the board amends a rule as follows:

1 CSR 20-5.020 Leaves of Absence is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on September 15, 2003 (28 MoReg 1561). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 30—Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects
Chapter 3—Seals
ORDER OF RULEMAKING

By the authority vested in the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects under sections 327.041 and 327.411, RSMo Supp. 2003, the board rescinds a rule as follows:

4 CSR 30-3.020 Seal—Architect is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on September 2, 2003 (28 MoReg 1483). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 30—Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects
Chapter 3—Seals
ORDER OF RULEMAKING

By the authority vested in the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects under sections 327.041 and 327.411, RSMo Supp. 2003, the board rescinds a rule as follows:

4 CSR 30-3.030 Seal—Engineer is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on September 2, 2003 (28 MoReg 1483). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT**

**Division 30—Missouri Board for Architects, Professional
Engineers, Professional Land Surveyors, and Landscape
Architects**

Chapter 3—Seals

ORDER OF RULEMAKING

By the authority vested in the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects under sections 327.041 and 327.411, RSMo Supp. 2003, the board rescinds a rule as follows:

**4 CSR 30-3.040 Seal—Professional Land Surveyor is
rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on September 2, 2003 (28 MoReg 1483–1484). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT**

**Division 30—Missouri Board for Architects, Professional
Engineers, Professional Land Surveyors, and Landscape
Architects**

Chapter 3—Seals

ORDER OF RULEMAKING

By the authority vested in the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects under section 327.041, RSMo Supp. 2003, the board rescinds a rule as follows:

**4 CSR 30-3.050 Licensee's Seal—Landscape Architect is
rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on September 2, 2003 (28 MoReg 1484). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT**

**Division 30—Missouri Board for Architects, Professional
Engineers, Professional Land Surveyors, and Landscape
Architects**

Chapter 3—Seals

ORDER OF RULEMAKING

By the authority vested in the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects under sections 327.041 and 327.411, RSMo Supp. 2003, the board adopts a rule as follows:

4 CSR 30-3.060 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 2, 2003 (28 MoReg 1484–1486). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: A total of thirteen (13) comments were received. Two (2) were in support of the proposed rule, eight (8) suggested similar revisions, one (1) suggested a specific revision, one (1) advised of a conflict and one (1) was seeking clarification. No public hearing was held.

COMMENT: The board received two (2) letters in support of the proposed change. One (1) from the Missouri Department of Transportation (MoDOT) and the other from Charles S. Cassias, Jr., AIA. MoDOT supported the proposed rule citing the following points: 1) the proposed changes will allow them to further automate the process of plan preparation and reduce time required for physical delivery of plans and proposals between consultants performing work for them, their district offices and their General Headquarters; 2) the proposed changes allowing for electronic seals would require MoDOT to make changes to some of its engineering processes to allow for this implementation but these changes are believed to be relatively minor and should not add any additional cost to their processes; and, 3) since these proposed changes do not require the use of electronic seals, they believe such use can be phased in and implemented over time with no disruption to their project development process. Mr. Cassias supported the proposed rule citing the following points: 1) he believes the use of electronic seals and signatures is appropriate and poses no additional security risk to the licensee given the proposed controls published; 2) based on discussion he has had with his Information Technology (IT) staff, it appears that the language is achievable with today's technology and will be even easier with 2004 AutoCAD and Revit systems; and, 3) he believes that electronic seals/signatures are simply a logical and rational projection for the use of the current technology especially since the individual practitioner/professional still maintains control over the use of the seal, it is simply a different method of application as compared to a rubber stamp or embossing seal.

RESPONSE: The board acknowledged these comments and very much appreciates this support.

COMMENT: The board received eight (8) comments suggesting the board continue to allow an architect, a professional engineer or a professional land surveyor that was licensed before January 1, 2002, who presently has a seal with "Registered Architect" and a license number preceded by a roman capital letter "A"; or a seal with "Registered Professional Engineer" and a license number preceded by a roman capital letter "E"; or, a seal with "Registered Land Surveyor" and a license number preceded by roman capital letters "LS" to continue to use that seal rather than be required to obtain a new seal.

RESPONSE AND EXPLANATION OF CHANGE: The board reviewed these comments and agreed that this was a mere oversight. The original intent of the board was to allow everyone licensed prior to January 1, 2002 to keep and use their original seal. Therefore, the board amended section (1) of the rule.

COMMENT: One (1) comment was received advising that subsection (3)(B) of the proposed rule specifies that "each sheet" be signed and sealed. The commenter felt this might be a potential problem in that it may not fully apply to digital documents in a format such as an Adobe .pdf file and commented that it is highly possible that multiple "sheets" are included in a single "digital document." This is desirable so that the entire electronic document remains in context along with all of the supporting or associated "sheets." The commenter felt it would be better in that case to have the entire "digital document" secured by a single electronic signature, rather than to

have each individual electronic "sheet" secured by a separate digital signature.

RESPONSE: Since computer software is available which would easily allow licensees to seal each sheet in a digital document, the board felt it was more important to protect the security of the document than to compromise its security by amending the rule as suggested by the commenter. Therefore, no changes were made in response to the comment.

COMMENT: One (1) comment was received inquiring about the difference between the terms "signature," "digital signature" and "electronic signature" and seeking clarification as to whether a licensee can have an electronic document that has a seal with no electronic signature as long as the licensee has an authentication process.

RESPONSE: The term "signature" means a handwritten identification containing the name of the person who applied his or her seal to the document. The "electronic signature" or "digital signature" means an electronic authentication process attached to or logically associated with the document. So, in answer to the commenter's question, "Can a licensee have an electronic document that has a seal with no electronic signature as long as the licensee has an authentication process?" The answer is no, because the electronic signature is the authentication process. Since clarification was provided to the commenter, no changes were made as a result of this comment.

COMMENT: One (1) comment was received advising the board that the language in this rule appears to be in conflict with board rule 4 CSR 30-16.030(3)(A).

RESPONSE AND EXPLANATION OF CHANGE: The board reviewed the comment and agreed that there appears to be a conflict and, therefore, decided to amend the rule by adding section (7).

4 CSR 30-3.060 Licensee's Seal

(1) Each person licensed as an architect, professional engineer, professional land surveyor or landscape architect (not including interns or individuals "in-training") shall, at his/her own expense, secure a seal one and three-quarters inches (1 3/4") in diameter of the following design: the seal shall consist of two (2) concentric circles between which shall appear in roman capital letters, the words, "State of Missouri" on the upper part of the seal and either "Architect," or "Professional Engineer," or "Professional Land Surveyor" or "Landscape Architect," as the case may be, on the lower part, and within the inner circle shall appear the name of the licensee, together with his/her license number preceded by the roman capital letter(s) A for Architect, PE for Professional Engineer, PLS for Professional Land Surveyor or LA for Landscape Architect.

(A) The seal of an architect licensed prior to January 1, 2002 may display "Registered Architect" on the lower part and within the inner circle shall appear the name of the licensee, together with his/her license number preceded by the roman capital letter A.

(B) The seal of a professional engineer licensed prior to January 1, 2002 may display "Registered Professional Engineer" on the lower part and within the inner circle shall appear the name of the licensee, together with his/her license number preceded by the roman capital letter E.

(C) The seal of a professional land surveyor licensed prior to January 1, 2002 may display "Registered Land Surveyor" on the lower part and within the inner circle shall appear the name of the licensee, together with his/her license number preceded by the roman capital letters LS.

(7) This rule supercedes any conflicting rules.

Title 5—DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION

Division 100—Missouri Commission for the Deaf and Hard of Hearing

Chapter 200—Board for Certification of Interpreters

ORDER OF RULEMAKING

By the authority vested in the Missouri Commission for the Deaf and Hard of Hearing under sections 209.292(1), RSMo Supp. 2003, 209.295(1), (3) and (8), and 209.309, RSMo 2000, the commission adopts a rule as follows:

5 CSR 100-200.045 Provisional Restricted Certification in Education is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 15, 2003 (28 MoReg 1562-1563). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received regarding this rule.

Title 8—DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS

Division 10—Division of Employment Security

Chapter 3—Unemployment Insurance

ORDER OF RULEMAKING

By authority vested in the Division of Employment Security under section 288.220, RSMo 2000, the division adopts a rule as follows:

8 CSR 10-3.085 Charging of Benefits to Reimbursable Employers is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1661). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 12—DEPARTMENT OF REVENUE

Division 10—Director of Revenue

Chapter 24—Drivers License Bureau Rules

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 302.175, RSMo 2000, the director amends a rule as follows:

12 CSR 10-24.090 Missouri Driver License or Permit Vision Test Guidelines is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1661-1663). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 24—Drivers License Bureau Rules**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 302.181, RSMo 2000, the director amends a rule as follows:

12 CSR 10-24.430 Back of Driver License, Permits and Non-Driver License **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1664). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 26—Dealer Licensure**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under sections 301.114, 301.218, 301.553 and 301.557, RSMo 2000, the director amends a rule as follows:

12 CSR 10-26.120 Procedures for Filing Complaints with the Director of Revenue **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1664). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 50—General**

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under section 409.6-605, RSMo Supp. 2003, the commissioner amends a rule as follows:

15 CSR 30-50.010 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1664-1665). Changes have been made in the Purpose section which is reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No written comments were received. The Securities Division staff recommended the purpose be changed to reflect the actual purpose of the rule.

RESPONSE AND EXPLANATION OF CHANGE: The commissioner agrees with this recommendation, and the purpose of the rule will be changed.

15 CSR 30-50.010 Definitions

PURPOSE: This rule defines certain terms used in the administration of the Missouri Securities Act of 2003 and in the corresponding rules, forms and orders made.

**Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 50—General**

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under sections 409.6-605, 409.6-606 and 409.6-607, RSMo Supp. 2003, the commissioner amends a rule as follows:

15 CSR 30-50.020 General Instructions **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1665-1666). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 50—General**

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under sections 409.3-302, 409.3-305, 409.4-410, 409.6-605 and 409.6-606, RSMo Supp. 2003, the commissioner amends a rule as follows:

15 CSR 30-50.030 Fees **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1666-1667). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 50—General**

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under sections 409.6-605, RSMo Supp. 2003, the commissioner amends a rule as follows:

15 CSR 30-50.040 Forms **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1667-1668). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 51—Broker-Dealers, Agents, Investment
Advisers, and Investment Adviser Representatives

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under sections 409.4-402, 409.4-406 and 409.6-605, RSMo Supp. 2003, the commissioner amends a rule as follows:

15 CSR 30-51.010 General Instructions is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1668). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 51—Broker-Dealers, Agents, Investment
Advisers, and Investment Adviser Representatives

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under sections 409.4-406 and 409.6-605, RSMo Supp. 2003, the commissioner amends a rule as follows:

15 CSR 30-51.020 Applications for Registration or Notice Filings is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1668-1669). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 51—Broker-Dealers, Agents, Investment
Advisers, and Investment Adviser Representatives

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under sections 409.4-412 and 409.6-605, RSMo Supp. 2003, the commissioner amends a rule as follows:

15 CSR 30-51.030 Examination Requirement is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1669). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 51—Broker-Dealers, Agents, Investment
Advisers, and Investment Adviser Representatives

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under sections 409.4-411 and 409.6-605, RSMo Supp. 2003, the commissioner amends a rule as follows:

15 CSR 30-51.040 Financial Statements is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1669-1670). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 51—Broker-Dealers, Agents, Investment
Advisers, and Investment Adviser Representatives

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under sections 409.4-411 and 409.6-605, RSMo Supp. 2003, the commissioner amends a rule as follows:

15 CSR 30-51.050 Net Capital Requirements for Broker-Dealers is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1670). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 51—Broker-Dealers, Agents, Investment
Advisers, and Investment Adviser Representatives

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under sections 409.4-411 and 409.6-605, RSMo Supp. 2003, the commissioner amends a rule as follows:

15 CSR 30-51.060 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1670-1671). The section with changes is reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: Securities Division staff recommended that "rule" be added before 15c3-1, and change the word "regulation" to "rule" before 17a-11.

RESPONSE AND EXPLANATION OF CHANGE: The commissioner agreed with the suggested changes, and the changes will be made.

15 CSR 30-51.060 Broker-Dealer Notice of Net Capital Deficiency

(1) Broker-dealers registered or required to be registered under the Missouri Securities Act of 2003 (the Act) whose net capital at any time is less than the minimum required by rule 15c3-1 under the Securities Exchange Act of 1934 shall give notice and file such reports with the commissioner as are required to be given and filed with the Securities and Exchange Commission (SEC) under rule 17a-11 of the Securities Exchange Act of 1934.

**Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 51—Broker-Dealers, Agents, Investment
Advisers, and Investment Adviser Representatives**

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under sections 409.4-411 and 409.6-605, RSMo Supp. 2003, the commissioner amends a rule as follows:

**15 CSR 30-51.070 Minimum Net Worth Requirements for
Investment Advisers is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1671). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 51—Broker-Dealers, Agents, Investment
Advisers, and Investment Adviser Representatives**

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under sections 409.4-411 and 409.6-605, RSMo Supp. 2003, the commissioner amends a rule as follows:

**15 CSR 30-51.090 Segregation of Accounts by Broker-Dealers is
amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1671). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 51—Broker-Dealers, Agents, Investment
Advisers, and Investment Adviser Representatives**

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under sections 409.4-411 and 409.6-605, RSMo Supp. 2003, the commissioner amends a rule as follows:

**15 CSR 30-51.100 Custody of Securities or Funds by Investment
Advisers is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1671-1672). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 51—Broker-Dealers, Agents, Investment
Advisers, and Investment Adviser Representatives**

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under sections 409.4-411 and 409.6-605, RSMo Supp. 2003, the commissioner amends a rule as follows:

15 CSR 30-51.110 Confirmations is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1672). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 51—Broker-Dealers, Agents, Investment
Advisers, and Investment Adviser Representatives**

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under section 409.6-605, RSMo Supp. 2003, the commissioner rescinds a rule as follows:

15 CSR 30-51.120 Records Required of Broker-Dealers is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1672). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 51—Broker-Dealers, Agents, Investment
Advisers, and Investment Adviser Representatives**

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under sections 409.4-411 and 409.6-605, RSMo Supp. 2003, the commissioner adopts a rule as follows:

15 CSR 30-51.120 Records Required of Broker-Dealers is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1672-1673). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 51—Broker-Dealers, Agents, Investment
Advisers, and Investment Adviser Representatives**

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under section 409.6-605, RSMo Supp. 2003, the commissioner rescinds a rule as follows:

15 CSR 30-51.130 Records to be Preserved by Broker-Dealers is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1673). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 51—Broker-Dealers, Agents, Investment
Advisers, and Investment Adviser Representatives**

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under sections 409.4-411 and 409.6-605, RSMo Supp. 2003, the commissioner adopts a rule as follows:

15 CSR 30-51.130 Records To Be Preserved by Broker-Dealers is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1673). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 51—Broker-Dealers, Agents, Investment
Advisers, and Investment Adviser Representatives**

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under section 409.6-605, RSMo Supp. 2003, the commissioner rescinds a rule as follows:

15 CSR 30-51.140 Records Required of Investment Advisers is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1673-1674). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 51—Broker-Dealers, Agents, Investment
Advisers, and Investment Adviser Representatives**

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under sections 409.4-411 and 409.6-605, RSMo Supp. 2003, the commissioner adopts a rule as follows:

15 CSR 30-51.140 Records Required of and To Be Preserved by Investment Advisers is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1674-1675). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 51—Broker-Dealers, Agents, Investment
Advisers, and Investment Adviser Representatives**

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under sections 409.4-406 and 409.6-605, RSMo Supp. 2003, the commissioner amends a rule as follows:

15 CSR 30-51.145 Compensation Arrangements Involving Investment Advisers is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1675-1676). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 15—ELECTED OFFICIALS Division 30—Secretary of State Chapter 51—Broker-Dealers, Agents, Investment Advisers, and Investment Adviser Representatives

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under section 409.6-605, RSMo Supp. 2003, the commissioner rescinds a rule as follows:

15 CSR 30-51.150 Records to be Preserved by Investment Advisers is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1676). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 15—ELECTED OFFICIALS Division 30—Secretary of State Chapter 51—Broker-Dealers, Agents, Investment Advisers, and Investment Adviser Representatives

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under sections 409.4-406, 409.4-408, 409.4-409, 409.4-411 and 409.6-605, RSMo Supp. 2003, the commissioner amends a rule as follows:

15 CSR 30-51.160 Effectiveness and Post-Effective Requirements is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1676-1678). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 15—ELECTED OFFICIALS Division 30—Secretary of State Chapter 51—Broker-Dealers, Agents, Investment Advisers, and Investment Adviser Representatives

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under sections 409.1-102 and 409.6-605, RSMo Supp. 2003, the commissioner adopts a rule as follows:

15 CSR 30-51.165 Networking Arrangements Between Broker-Dealers and Banks, Trust Companies or Savings Institutions is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1678). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 15—ELECTED OFFICIALS Division 30—Secretary of State Chapter 51—Broker-Dealers, Agents, Investment Advisers, and Investment Adviser Representatives

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under sections 409.2-201, 409.4-412, 409.5-501 and 409.6-605, RSMo Supp. 2003, the commissioner amends a rule as follows:

15 CSR 30-51.169 Fraudulent Practices of Broker-Dealers and Agents is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1678-1679). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 15—ELECTED OFFICIALS Division 30—Secretary of State Chapter 51—Broker-Dealers, Agents, Investment Advisers, and Investment Adviser Representatives

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under sections 409.4-412 and 409.6-605, RSMo Supp. 2003, the commissioner amends a rule as follows:

15 CSR 30-51.170 Denial, Revocation and Suspension of Registration is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1679-1680). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 51—Broker-Dealers, Agents, Investment
Advisers, and Investment Adviser Representatives**

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under sections 409.4-401, 409.4-402, 409.4-403, 409.4-404 and 409.6-605, RSMo Supp. 2003, the commissioner amends a rule as follows:

15 CSR 30-51.180 Exemptions from Registration for Broker-Dealers, Agents, Investment Advisers, and Investment Adviser Representatives is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1680-1681). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 52—Registration of Securities**

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under sections 409.3-303, 409.3-304 and 409.6-605, RSMo Supp. 2003, the commissioner amends a rule as follows:

15 CSR 30-52.010 General Provisions is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1681). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 52—Registration of Securities**

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under sections 409.3-303, 409.3-304, 409.3-305, 409.3-307, 409.6-605 and 409.6-611, RSMo Supp. 2003, the commissioner amends a rule as follows:

15 CSR 30-52.015 Applications for Registration is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1681-1682). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 52—Registration of Securities**

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under sections 409.3-303, 409.3-304, 409.3-305, 409.3-307, 409.5-501 and 409.6-605, RSMo Supp. 2003, the commissioner amends a rule as follows:

15 CSR 30-52.020 Prospectus is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1682). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 52—Registration of Securities**

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under sections 409.3-303, 409.3-304 and 409.6-605, RSMo Supp. 2003, the commissioner amends a rule as follows:

15 CSR 30-52.025 Financial Statements is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1682-1683). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 52—Registration of Securities**

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under sections 409.3-303, 409.3-304, 409.3-305, 409.3-306, 409.3-307, 409.5-501, 409.6-605 and 409.6-608, RSMo Supp. 2003, the commissioner amends a rule as follows:

15 CSR 30-52.030 is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1683). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: Securities Division staff recommended (1)(A)21. be rephrased to remain consistent with the wording in the rule.

RESPONSE AND EXPLANATION OF CHANGE: The commissioner agrees with the recommendation. The wording will be changed.

15 CSR 30-52.030 NASAA Statements of Policy

(1) The Securities Division will apply the applicable statement of policy adopted by North American Securities Administrators Association, Inc. (NASAA) when conducting a merit review to determine whether an offering is fair, just and equitable.

(A) The following statements of policy are hereby incorporated in proposed reference:

1. Corporate Securities Definitions, as amended by NASAA on September 28, 1999;
2. Loans and Other Material Affiliated Transactions, as amended by NASAA on November 18, 1997;
3. Options and Warrants, as amended by NASAA on September 28, 1999;
4. Preferred Stock, as amended by NASAA on April 27, 1997;
5. Promoter's Equity Investment, as adopted by NASAA on April 27, 1997;
6. Promotional Shares, as amended by NASAA on September 28, 1999;
7. Risk Disclosure Guidelines, as adopted by NASAA on September 9, 2001;
8. Specificity in Use of Proceeds, as amended by NASAA on September 28, 1999;
9. Underwriting Expenses, Underwriter's Warrants, Selling Expenses and Selling Security Holders, as adopted by NASAA on September 28, 1999;
10. Unsound Financial Condition, as adopted by NASAA on September 28, 1999;
11. Unequal Voting Rights, as adopted by NASAA on October 24, 1991;
12. Registration of Asset-Backed Securities, as adopted by NASAA on October 25, 1995;
13. Mortgage Program Guidelines, as adopted by NASAA on September 10, 1996;
14. Real Estate Programs, as amended by NASAA on September 29, 1993;
15. Real Estate Investment Trusts, as revised by NASAA on September 29, 1993;
16. Registration of Oil and Gas Programs, as amended by NASAA on October 24, 1991;
17. Equipment Programs, as amended by NASAA on October 24, 1991;
18. Commodity Pool Programs, as amended by NASAA on August 30, 1990;
19. Cattle-Feeding Programs, as adopted by NASAA on September 17, 1980;
20. Omnibus Guidelines, as adopted by NASAA on March 29, 1992; and
21. Viatical Investment Guidelines, as adopted by NASAA on October 1, 2002.

**Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 52—Registration of Securities**

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under sections 409.3-305, 409.3-306 and 409.6-605, RSMo Supp. 2003, the commissioner amends a rule as follows:

15 CSR 30-52.100 Impoundment of Proceeds is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1683-1684). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 52—Registration of Securities**

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under sections 409.3-306 and 409.6-605, RSMo Supp. 2003, the commissioner amends a rule as follows:

15 CSR 30-52.120 Debt Securities is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1684). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 52—Registration of Securities**

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under sections 409.3-306, 409.5-509, 409.5-510 and 409.6-605, RSMo Supp. 2003, the commissioner amends a rule as follows:

15 CSR 30-52.200 Offer of Refund Prior to Registration is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1684). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 52—Registration of Securities**

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under sections 409.5-509, 409.5-510 and 409.6-605, RSMo Supp. 2003, the commissioner amends a rule as follows:

15 CSR 30-52.260 Suggested Form of Offer of Refund (Rescission) is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1684–1685). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 52—Registration of Securities**

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under sections 409.3-304, 409.3-305, 409.3-306, 409.3-307 and 409.6-605, RSMo Supp. 2003, the commissioner amends a rule as follows:

15 CSR 30-52.275 Small Company Offering Registrations (formerly Missouri Issuer Registration) **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1685). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 52—Registration of Securities**

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under sections 409.3-305 and 409.6-605, RSMo Supp. 2003, the commissioner amends a rule as follows:

15 CSR 30-52.280 Withdrawal of a Registration Statement **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1685–1686). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 52—Registration of Securities**

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under sections 409.3-303, 409.3-304, 409.3-305, 409.3-306 and 409.6-605, RSMo Supp. 2003, the commissioner amends a rule as follows:

15 CSR 30-52.300 Post-Effective Amendments and Notices to a Registration Statement **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1686). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 52—Registration of Securities**

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under sections 409.3-305 and 409.6-605, RSMo Supp. 2003, the commissioner amends a rule as follows:

15 CSR 30-52.310 Report of Completion of a Registration Statement **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1686). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 52—Registration of Securities**

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under sections 409.3-305 and 409.6-605, RSMo Supp. 2003, the commissioner amends a rule as follows:

15 CSR 30-52.320 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1686). The sections with changes is reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: Securities Division staff recommended the purpose reflect the actual purpose of the rule.

RESPONSE AND EXPLANATION OF CHANGE: The commissioner agrees with this recommendation, and the change will be made.

15 CSR 30-52.320 Annual Report for the Renewal of a Registration Statement

PURPOSE: This rule requires that an annual report be provided to the Securities Division for the renewal of the effective period of a registration statement.

**Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 52—Registration of Securities**

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under sections 409.3-305 and 409.6-605, RSMo Supp. 2003, the commissioner amends a rule as follows:

15 CSR 30-52.330 Records To Be Preserved by Issuers is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1687). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 52—Registration of Securities**

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under sections 409.3-304, 409.3-307 and 409.6-605, RSMo Supp. 2003, the commissioner amends a rule as follows:

15 CSR 30-52.340 Mortgage Revenue Bonds is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1687-1688). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 53—Sales and Advertising Literature**

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under sections 409.2-201, 409.2-203, 409.3-303, 409.3-304, 409.5-501, 409.5-504 and 409.6-605, RSMo Supp. 2003, the commissioner amends a rule as follows:

15 CSR 30-53.010 Promotional Materials to be Filed, Permitted Without Filing and Prohibited is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1688). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 54—Exemptions and Federal Covered Securities**

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under sections 409.2-202, 409.2-203, 409.5-503 and 409.6-605, RSMo Supp. 2003, the commissioner amends a rule as follows:

15 CSR 30-54.010 General is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1688-1689). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 54—Exemptions and Federal Covered Securities**

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under sections 409.3-302 and 409.6-605, RSMo Supp. 2003, the commissioner amends a rule as follows:

15 CSR 30-54.015 Notice Filings for Investment Companies is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1689). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 54—Exemptions and Federal Covered Securities**

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under sections 409.2-201 and 409.6-605, RSMo Supp. 2003, the commissioner amends a rule as follows:

15 CSR 30-54.020 Government Issued or Guaranteed Securities is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1689-1690). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 54—Exemptions and Federal Covered Securities

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under section 409.6-605, RSMo Supp. 2003, the commissioner rescinds a rule as follows:

15 CSR 30-54.030 Bank, Savings Institution or Trust Company Securities **is rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1690). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 54—Exemptions and Federal Covered Securities

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under section 409.6-605, RSMo Supp. 2003, the commissioner rescinds a rule as follows:

15 CSR 30-54.040 Federal Savings and Loan Association or State Building and Loan or Similar Association Securities **is rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1690). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 54—Exemptions and Federal Covered Securities

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under sections 409.2-201 and 409.6-605, RSMo Supp. 2003, the commissioner amends a rule as follows:

15 CSR 30-54.050 Railroad, Other Common Carrier, Public Utility and Holding Company Securities **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1690-1691). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 54—Exemptions and Federal Covered Securities

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under sections 409.2-202 and 409.6-605, RSMo Supp. 2003, the commissioner amends a rule as follows:

15 CSR 30-54.060 Stock Exchange Listed Securities **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1691). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 54—Exemptions and Federal Covered Securities

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under section 409.6-605, RSMo Supp. 2003, the commissioner rescinds a rule as follows:

15 CSR 30-54.070 NASAA Statements of Policy (Exemptions) **is rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1691). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 54—Exemptions and Federal Covered Securities

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under sections 409.2-201 and 409.6-605, RSMo Supp. 2003, the commissioner adopts a rule as follows:

15 CSR 30-54.070 Not-for-Profit Securities **is adopted**.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1692). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 54—Exemptions and Federal Covered Securities

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under section 409.6-605, RSMo Supp. 2003, the commissioner rescinds a rule as follows:

15 CSR 30-54.080 Commercial Paper Securities is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1692). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 54—Exemptions and Federal Covered Securities

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under section 409.6-605, RSMo Supp. 2003, the commissioner rescinds a rule as follows:

15 CSR 30-54.090 Employees' Benefit Plan Securities is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1692-1693). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 54—Exemptions and Federal Covered Securities

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under sections 409.2-202 and 409.6-605, RSMo Supp. 2003, the commissioner amends a rule as follows:

15 CSR 30-54.100 Manual Exemption is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1693). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 54—Exemptions and Federal Covered Securities

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under sections 409.2-202 and 409.6-605, RSMo Supp. 2003, the commissioner amends a rule as follows:

15 CSR 30-54.110 Unsolicited Order to Buy Exemption is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1693). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 54—Exemptions and Federal Covered Securities

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under sections 409.2-202 and 409.6-605, RSMo Supp. 2003, the commissioner amends a rule as follows:

15 CSR 30-54.120 Mortgage-Note Exemption is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1693-1694). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 54—Exemptions and Federal Covered Securities

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under section 409.6-605, RSMo Supp. 2003, the commissioner rescinds a rule as follows:

15 CSR 30-54.125 Institutional Buyer Exemption is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1694). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 54—Exemptions and Federal Covered Securities

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under section 409.6-605, RSMo Supp. 2003, the commissioner rescinds a rule as follows:

15 CSR 30-54.130 First Twenty-Five Persons Exemption is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1694). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 54—Exemptions and Federal Covered Securities

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under sections 409.2-202 and 409.6-605, RSMo Supp. 2003, the commissioner adopts a rule as follows:

15 CSR 30-54.130 Limited Offering Exemption is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1694-1695). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 54—Exemptions and Federal Covered Securities

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under section 409.6-605, RSMo Supp. 2003, the commissioner rescinds a rule as follows:

15 CSR 30-54.140 Fifteen Transactions in Twelve Months Exemption is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1695). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 54—Exemptions and Federal Covered Securities

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under sections 409.2-202 and 409.6-605, RSMo Supp. 2003, the commissioner amends a rule as follows:

15 CSR 30-54.150 Suggested Form of Investment Letter is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1695). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 54—Exemptions and Federal Covered Securities

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under section 409.6-605, RSMo Supp. 2003, the commissioner rescinds a rule as follows:

15 CSR 30-54.160 Offers to Existing Security Holders Exemption is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1695-1696). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 54—Exemptions and Federal Covered Securities

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under sections 409.2-202 and 409.6-605, RSMo Supp. 2003, the commissioner amends a rule as follows:

15 CSR 30-54.170 Preeffective Offer Exemption is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1696). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 54—Exemptions and Federal Covered Securities**

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under sections 409.2-202 and 409.6-605, RSMo Supp. 2003, the commissioner amends a rule as follows:

15 CSR 30-54.183 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1696). The section with changes is reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: Securities Division staff recommended the purpose reflect the actual purpose of the rule.
RESPONSE AND EXPLANATION OF CHANGE: The commissioner agrees with this recommendation, and the change will be made.

15 CSR 30-54.183 Exemption for Reporting Company Securities

PURPOSE: This rule prescribes the circumstances under which certain transactions in securities of reporting companies are exempted from the registration requirements of the Missouri Securities Act of 2003.

**Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 54—Exemptions and Federal Covered Securities**

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under section 409.6-605, RSMo Supp. 2003, the commissioner rescinds a rule as follows:

15 CSR 30-54.190 Agricultural Cooperative Association Securities is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1696-1697). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 54—Exemptions and Federal Covered Securities**

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under sections 409.2-203 and 409.6-605, RSMo Supp. 2003, the commissioner adopts a rule as follows:

15 CSR 30-54.190 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on October 1, 2003 (28

MoReg 1697-1698). A change has been made in the title of the rule and is reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: Securities Division staff recommended the title of the rule be changed to reflect exemption.

RESPONSE AND EXPLANATION OF CHANGE: The commissioner agrees with this recommendation, and the change will be made.

15 CSR 30-54.190 New Generation Processing Entity Exemption

**Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 54—Exemptions and Federal Covered Securities**

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under sections 409.2-203, 409.3-302 and 409.6-605, RSMo Supp. 2003, the commissioner amends a rule as follows:

15 CSR 30-54.210 Notice Filings for Transactions under Regulation D, Rules 505 and 506 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1698). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 54—Exemptions and Federal Covered Securities**

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under sections 409.2-203 and 409.6-605, RSMo Supp. 2003, the commissioner amends a rule as follows:

15 CSR 30-54.215 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1698). Changes have been made in the Purpose statement, so it is reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: Securities Division staff recommended the purpose reflect the actual purpose of the rule.

RESPONSE AND EXPLANATION OF CHANGE: The commissioner agrees with this recommendation, and the change will be made.

15 CSR 30-54.215 Accredited Investor Exemption

PURPOSE: This rule exempts offers and sales to accredited investors from the requirements of section 409.3-301 of the Missouri Securities Act of 2003.

Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 54—Exemptions and Federal Covered Securities

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under sections 409.2-203 and 409.6-605, RSMo Supp. 2003, the commissioner amends a rule as follows:

15 CSR 30-54.220 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1699-1700). Changes have been made in the Purpose statement, so it is reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: Securities Division staff recommended the purpose reflect the actual purpose of the rule.

RESPONSE AND EXPLANATION OF CHANGE: The commissioner agrees with this recommendation, and the change will be made.

15 CSR 30-54.220 Transactions Exemption for Securities Listed on Certain Quotation Systems

PURPOSE: This rule prescribes the circumstances under which transactions in securities listed on National Association of Securities Dealers, Inc., Automated Quotation System are exempt from the requirements of sections 409.3-301 and 409.5-504 of the Missouri Securities Act of 2003.

Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 54—Exemptions and Federal Covered Securities

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under sections 409.2-203 and 409.6-605, RSMo Supp. 2003, the commissioner amends a rule as follows:

15 CSR 30-54.250 Missouri Qualified Fund Exemption is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1700-1701). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 54—Exemptions and Federal Covered Securities

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under sections 409.2-202, 409.2-203 and 409.6-605, RSMo Supp. 2003, the commissioner amends a rule as follows:

15 CSR 30-54.260 Foreign Issuer Exemption is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1701). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 54—Exemptions and Federal Covered Securities

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under sections 409.2-203 and 409.6-605, RSMo Supp. 2003, the commissioner amends a rule as follows:

15 CSR 30-54.290 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1701-1702). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: Securities Division staff recommended the language be changed to comply with the exemptions under the Missouri Securities Act of 2003.

RESPONSE AND EXPLANATION OF CHANGE: The commissioner agrees with this recommendation, and the change will be made.

15 CSR 30-54.290 Canadian-United States Cross-Border Trading Exemption

PURPOSE: This rule prescribes transactions exempted pursuant to section 409.2-203, RSMo, for Canadians who are temporarily a resident in or visiting this state and persons in the state who are holders of or contributors to Canadian self-directed tax advantaged retirement accounts.

(1) Any offer or sale of security effected by a Canadian broker-dealer exempted from broker-dealer registration pursuant to 15 CSR 30-51.180 is exempted from the securities registration requirements of section 409.3-301, RSMo.

Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 55—Hearings Under Securities Act

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under sections 409.3-306, 409.4-412 and 409.6-605, RSMo Supp. 2003, the commissioner amends a rule as follows:

15 CSR 30-55.010 Who May Request is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1702). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 55—Hearings Under Securities Act**

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under sections 409.6-605, RSMo Supp. 2003 and 409.836, RSMo 2000, the commissioner amends a rule as follows:

15 CSR 30-55.020 Instituting Hearing Before the Commissioner is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1702-1703). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 55—Hearings Under Securities Act**

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under sections 409.6-605, RSMo Supp. 2003 and 409.836, RSMo 2000, the commissioner amends a rule as follows:

15 CSR 30-55.025 General Prehearing Procedures is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1703). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 55—Hearings Under Securities Act**

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under section 409.6-605, RSMo Supp. 2003, the commissioner amends a rule as follows:

15 CSR 30-55.030 Answers and Supplementary Pleadings is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1703). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 55—Hearings Under Securities Act**

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under section 409.6-605, RSMo Supp. 2003, the commissioner amends a rule as follows:

15 CSR 30-55.040 Notice of Hearing is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1703). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 55—Hearings Under Securities Act**

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under section 409.6-605, RSMo Supp. 2003, the commissioner amends a rule as follows:

15 CSR 30-55.050 Prehearing Conferences is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1703-1704). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 55—Hearings Under Securities Act**

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under section 409.6-605, RSMo Supp. 2003, the commissioner amends a rule as follows:

15 CSR 30-55.060 Public Hearing is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1704). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 55—Hearings Under Securities Act**

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under section 409.6-605, RSMo Supp. 2003, the commissioner amends a rule as follows:

15 CSR 30-55.070 Record of Hearing Before the Commissioner is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1704). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 55—Hearings Under Securities Act**

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under section 409.6-605, RSMo Supp. 2003, the commissioner amends a rule as follows:

15 CSR 30-55.080 Discovery is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1704). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 55—Hearings Under Securities Act**

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under section 409.6-605, RSMo Supp. 2003, the commissioner amends a rule as follows:

15 CSR 30-55.090 Procedure at Hearing is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1704–1705). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 55—Hearings Under Securities Act**

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under sections 409.6-602 and 409.6-605, RSMo Supp. 2003 and 409.820, RSMo 2000, the commissioner amends a rule as follows:

15 CSR 30-55.100 Subpoenas is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1705). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 55—Hearings Under Securities Act**

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under section 409.6-605, RSMo Supp. 2003, the commissioner amends a rule as follows:

15 CSR 30-55.110 Motions, Suggestions and Legal Briefs is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1705). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 55—Hearings Under Securities Act**

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under section 409.6-605, RSMo Supp. 2003, the commissioner amends a rule as follows:

15 CSR 30-55.220 Hearing Officers is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1705). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 16—RETIREMENT SYSTEMS
Division 10—The Public School Retirement System of
Missouri
Chapter 4—Membership and Creditable Service

ORDER OF RULEMAKING

By the authority vested in the board of trustees under section 169.020, RSMo 2000, the board of trustees hereby amends a rule as follows:

16 CSR 10-4.005 Requirements for Membership is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1705-1706). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 16—RETIREMENT SYSTEMS
Division 10—The Public School Retirement System of
Missouri
Chapter 4—Membership and Creditable Service

ORDER OF RULEMAKING

By the authority vested in the board of trustees under section 169.020, RSMo 2000, the board of trustees hereby amends a rule as follows:

16 CSR 10-4.012 Payment for Reinstatement and Credit Purchases is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1706-1707). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 16—RETIREMENT SYSTEMS
Division 10—The Public School Retirement System of
Missouri
Chapter 4—Membership and Creditable Service

ORDER OF RULEMAKING

By the authority vested in the board of trustees under section 169.020, RSMo 2000, the board of trustees hereby amends a rule as follows:

16 CSR 10-4.014 Reinstatement and Credit Purchases is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1707-1708). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 16—RETIREMENT SYSTEMS
Division 10—The Public School Retirement System of
Missouri
Chapter 5—Retirement, Options and Benefits

ORDER OF RULEMAKING

By the authority vested in the board of trustees under section 169.020, RSMo 2000, the board of trustees hereby amends a rule as follows:

16 CSR 10-5.010 Service Retirement is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1708-1709). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Public School Retirement System of Missouri (PSRS) received thirty-four (34) comments on the proposed amendment.

COMMENT: PSRS received twenty-four (24) similar comments from: Bradley Barnhart, Assistant Superintendent of the Blue Springs School District; Donald Peebles, Superintendent of the Niangua R-V School District; Randy Winston, Superintendent of the Poplar Bluff School District; Deanette Jarman, Assistant Superintendent of the Ralls County R-II School District; Nancy Parman, Superintendent of the North Harrison R-III School District; Dr. Arnold Bell, Superintendent of the Chaffee Public School District; Rob Dowis, Superintendent of the Jefferson C-123 School District; Lloyd Little, Superintendent of the Mexico #59 School District; Dr. VeAnn Tilson, Superintendent of the Union R-XI School District; Sandra Sloan, Superintendent of the Odessa R-VII School District; Judy Teufel, Principal of the Miami R-I School District; Dr. Stephen Laub, Principal of Rolla Junior High School; Ed Schoenfelt, Superintendent of the Marceline R-V School District; Ken Eaton, Superintendent of the Mound City R-2 School District; Steve Meyer, Superintendent of the Orrick School District; Susan Marcum, Assistant Principal of Willard High School; Jim King, Executive Director of the Missouri Association of Secondary School Principals; Dr. Sarah Spence, Superintendent of the Sedalia School District #200; Lynn Soloman, Executive Director of the Association of School Business Officials; Frank Berlin, Assistant Superintendent of the Bowling Green R-I School District; Brad Hufty, Middle School Principal in the Bowling Green R-I School District; Dr. Judene Blackburn, Assistant Superintendent of the Waynesville R-VI School District; Dr. Roger Dorson, Superintendent of the Salisbury R-IV School District; and Rick Edwards, retired PSRS member.

The comments from the above individuals indicated: (1) support for the portion of the proposed amendment allowing all PSRS retirees who have certificates issued by the Department of Elementary and Secondary Education (DESE) to work under section 169.596, RSMo; and (2) strong opposition to the portion of the proposed amendment allowing such employment only in positions that require a DESE-issued certificate.

RESPONSE: Missouri case law indicates that the intent of the legislature should be determined, if possible, from the words used in the statute to be interpreted. Missouri case law also indicates that Missouri courts will read statutes together in order to determine the intent of the legislature.

Subsection 1 of section 169.596, RSMo, allows a PSRS retiree to "teach full-time for up to two years" for a PSRS covered employer without a suspension of the retiree's PSRS benefits if the employer meets certain requirements. Subsection 2 of section 169.596, RSMo, allows a retiree of the Non-Teacher School Employee Retirement

System of Missouri (NTRS) to “*be employed* full-time for up to two years” for a NTRS covered employer without a suspension of the retiree’s NTRS benefits if the employer meets certain requirements.

In essence, the comments received argue that “teach” should be defined as broadly as “be employed” and that DESE-certificated PSRS retirees should be allowed to work under section 169.596.1, RSMo, in any position. PSRS believes this is contrary to the tenets of statutory construction in Missouri. The fact that the legislature used “teach” in subsection 1 of section 169.596, RSMo, (relating to PSRS retirees) and “be employed” in subsection 2 of section 169.596, RSMo, (relating to NTRS retirees), supports PSRS’s interpretation that “teach” means something other than “be employed.” Otherwise, the legislature would have used “be employed” in both subsections 1 and 2 of section 169.596, RSMo. Also, section 169.010(17), RSMo, defines “teacher” as a full-time employee of a PSRS-covered employer *who possesses a DESE issued certificate*. Therefore, PSRS’s interpretation of “teach” is consistent with the definition of “teacher” in section 169.010(17), RSMo. Finally, PSRS believes that it is unlikely that the legislature intended to define “teach” to include activities such as driving a school bus or working in the school cafeteria, especially in light of the legislature’s use of “be employed” in section 169.596, RSMo. PSRS also believes that it is unlikely that a court would interpret “teach” to include such activities. Had the legislature intended “teach” to be interpreted as broadly as “be employed” it could have easily used the phrase “be employed” when referring to PSRS retirees as it did when referring to NTRS retirees in the very next subsection of the law. Therefore, no changes have been made to the rule as a result of these comments.

COMMENT: PSRS received five (5) similar comments from: Paul Huey, Superintendent of the Grundy R-V School District; Faye Peters, Executive Director of the Missouri Association of Elementary School Principals; Gary Sharpe, Executive Director of the Missouri Association of School Administrators; Kent King, Executive Director of the Missouri State Teachers Association; and Richard Forcum, Superintendent of the LaPlata R-II Schools.

The comments from the above individuals indicated strong opposition to the portion of the proposed amendment allowing DESE-certificated, PSRS retirees to work under section 169.596, RSMo, only in positions that require a DESE-issued certificate. The comments state that the amendment is not in the best interest of the children, is contrary to the intent of the legislature, restricts the pool of applicants available for positions not requiring DESE certification and is unnecessarily restrictive given the stringent requirements that must be met by the school districts.

RESPONSE: Under section 169.596, RSMo, NTRS retirees may be employed full-time in positions that do not require DESE certification. Also, both PSRS and NTRS retirees may still work up to five hundred fifty (550) hours in any position for a PSRS covered school district.

However, Missouri case law indicates that the intent of the legislature should be determined, if possible, from the words used in the statute to be interpreted. Missouri case law also indicates that Missouri courts will read statutes together in order to determine the intent of the legislature.

Subsection 1 of section 169.596, RSMo, allows a PSRS retiree to “*teach* full-time for up to two years” for a PSRS covered employer without a suspension of the retiree’s PSRS benefits if the employer meets certain requirements. Subsection 2 of section 169.596, RSMo, allows a retiree of the Non-Teacher School Employee Retirement System of Missouri (NTRS) to “*be employed* full-time for up to two years” for a NTRS covered employer without a suspension of the retiree’s NTRS benefits if the employer meets certain requirements.

In essence, the comments received argue that “teach” should be defined as broadly as “be employed” and that DESE-certificated PSRS retirees should be allowed to work under section 169.596.1, RSMo, in any position. PSRS believes this is contrary to the tenets

of statutory construction in Missouri. The fact that the legislature used “teach” in subsection 1 of section 169.596, RSMo, (relating to PSRS retirees) and “be employed” in subsection 2 of section 169.596, RSMo, (relating to NTRS retirees), supports PSRS’s interpretation that “teach” means something other than “be employed.” Otherwise, the legislature would have used “be employed” in both subsections 1 and 2 of section 169.596, RSMo. Also, section 169.010(17), RSMo, defines “teacher” as a full-time employee of a PSRS-covered employer *who possesses a DESE issued certificate*. Therefore, PSRS’s interpretation of “teach” is consistent with the definition of “teacher” in section 169.010(17), RSMo. Finally, PSRS believes that it is unlikely that the legislature intended to define “teach” to include activities such as driving a school bus or working in the school cafeteria, especially in light of the legislature’s use of “be employed” in section 169.596, RSMo. PSRS also believes that it is unlikely that a court would interpret “teach” to include such activities. Had the legislature intended “teach” to be interpreted as broadly as “be employed” it could have easily used the phrase “be employed” when referring to PSRS retirees as it did when referring to NTRS retirees in the very next subsection of the law. Therefore, no changes have been made to the amendment as a result of these comments.

COMMENT: PSRS received one (1) comment from Kay Bylo, Principal in the Spring Bluff R-XV School District strongly supporting the portion of the proposed amendment allowing all DESE-certificated, PSRS retirees, not just classroom teachers, to work under section 169.596, RSMo.

RESPONSE: The proposed amendment allows all DESE-certificated PSRS retirees to work under section 169.596, RSMo. No changes have been made to the amendment as a result of this comment.

COMMENT: PSRS received three (3) similar comments from: Gary Reed, Superintendent of the Carthage R-9 School District; James Cale, Superintendent of the Warren County R-II Schools; and V. Leon Slape, Superintendent of the Plato R-V School District.

The comment from the above individuals indicated: (1) a belief that the proposed amendment applied only to classroom teachers and did not allow all DESE-certificated PSRS retirees to work under section 169.596, RSMo, and opposed such an application of the proposed amendment; and (2) strong opposition to the portion of the proposed amendment allowing DESE-certificated PSRS retirees to work only in positions that require a DESE-issued certificate.

RESPONSE: The proposed amendment allows all DESE-certificated PSRS retirees to work under section 169.596, RSMo, not just classroom teachers.

Missouri case law indicates that the intent of the legislature should be determined, if possible, from the words used in the statute to be interpreted. Missouri case law also indicates that Missouri courts will read statutes together in order to determine the intent of the legislature.

Subsection 1 of section 169.596, RSMo, allows a PSRS retiree to “*teach* full-time for up to two years” for a PSRS covered employer without a suspension of the retiree’s PSRS benefits if the employer meets certain requirements. Subsection 2 of section 169.596, RSMo, allows a retiree of the Non-Teacher School Employee Retirement System of Missouri (NTRS) to “*be employed* full-time for up to two years” for a NTRS covered employer without a suspension of the retiree’s NTRS benefits if the employer meets certain requirements.

In essence, the comments received argue that “teach” should be defined as broadly as “be employed” and that DESE-certificated PSRS retirees should be allowed to work under section 169.596.1, RSMo, in any position. PSRS believes this is contrary to the tenets of statutory construction in Missouri. The fact that the legislature used “teach” in subsection 1 of section 169.596, RSMo, (relating to PSRS retirees) and “be employed” in subsection 2 of section 169.596, RSMo, (relating to NTRS retirees), supports PSRS’s interpretation that “teach” means something other than “be employed.”

Otherwise, the legislature would have used “be employed” in both subsections 1 and 2 of section 169.596, RSMo. Also, section 169.010(17), RSMo, defines “teacher” as a full-time employee of a PSRS-covered employer *who possesses a DESE issued certificate*. Therefore, PSRS’s interpretation of “teach” is consistent with the definition of “teacher” in section 169.010(17), RSMo. Finally, PSRS believes that it is unlikely that the legislature intended to define “teach” to include activities such as driving a school bus or working in the school cafeteria, especially in light of the legislature’s use of “be employed” in section 169.596, RSMo. PSRS also believes that it is unlikely that a court would interpret “teach” to include such activities. Had the legislature intended “teach” to be interpreted as broadly as “be employed” it could have easily used the phrase “be employed” when referring to PSRS retirees as it did when referring to NTRS retirees in the very next subsection of the law. Therefore, no changes have been made to the amendment as a result of these comments.

COMMENT: PSRS received one (1) comment from Dr. Bruce Johnson, Superintendent of the Stanberry R-II School District stating that section 169.596, RSMo can be a good law, but that it may be subject to abuse and may lead to unnecessary depletion of PSRS funds. He further stated that PSRS should diligently enforce section 169.596, RSMo, to ensure that the school district meets the requirements set forth in that section prior to hiring a PSRS retiree instead of other qualified candidates.

RESPONSE: PSRS will put forth its best efforts, given available resources, to diligently enforce the provisions of section 169.596, RSMo. No changes have been made to the amendment as a result of this comment.

Title 16—RETIREMENT SYSTEMS
Division 10—The Public School Retirement System of Missouri
Chapter 6—The Non-Teacher School Employee Retirement System of Missouri

ORDER OF RULEMAKING

By the authority vested in the board of trustees under section 169.610, RSMo 2000, the board of trustees hereby amends a rule as follows:

16 CSR 10-6.010 Employment is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1709). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 16—RETIREMENT SYSTEMS
Division 10—The Public School Retirement System of Missouri
Chapter 6—The Non-Teacher School Employee Retirement System of Missouri

ORDER OF RULEMAKING

By the authority vested in the board of trustees under section 169.610, RSMo 2000, the board of trustees hereby amends a rule as follows:

16 CSR 10-6.045 Reinstatement and Credit Purchases is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1709–1712). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 16—RETIREMENT SYSTEMS
Division 10—The Public School Retirement System of Missouri
Chapter 6—The Non-Teacher School Employee Retirement System of Missouri

ORDER OF RULEMAKING

By the authority vested in the board of trustees under section 169.610, RSMo 2000, the board of trustees hereby amends a rule as follows:

16 CSR 10-6.060 Service Retirement is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1712–1713). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 16—RETIREMENT SYSTEMS
Division 50—The County Employees’ Retirement Fund
Chapter 20—County Employees’ Deferred Compensation Plan

ORDER OF RULEMAKING

By the authority vested in the County Employees’ Retirement Board under section 50.1300, RSMo 2000, the board amends a rule as follows:

16 CSR 50-20.030 Participation in the Plan is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1713). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 16—RETIREMENT SYSTEMS
Division 50—The County Employees’ Retirement Fund
Chapter 20—County Employees’ Deferred Compensation Plan

ORDER OF RULEMAKING

By the authority vested in the County Employees’ Retirement Board under sections 50.1300, RSMo 2000, the board amends a rule as follows:

16 CSR 50-20.050 Limitations on Deferral is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1713). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
AND SENIOR SERVICES**

Division 15—Division of Senior Services

Chapter 4—Older Americans Act

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under sections 660.050 and 660.603, RSMo Supp. 2003, the department amends a rule as follows:

19 CSR 15-4.060 State Long-Term Care Ombudsman Program is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 15, 2003 (28 MoReg 1837). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
AND SENIOR SERVICES**

**Division 30—Division of Health Standards and Licensure
Chapter 82—General Licensure Requirements**

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under sections 198.009, RSMo 2000 and 198.105, RSMo Supp. 2003, the department adopts a rule as follows:

19 CSR 30-82.015 Long-Term Care Receiverships is **adopted**.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on October 15, 2003 (28 MoReg 1837-1838). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
AND SENIOR SERVICES**

**Division 30—Division of Health Standards and Licensure
Chapter 82—General Licensure Requirements**

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under section 198.067.6, RSMo Supp. 2003, the department adopts a rule as follows:

19 CSR 30-82.080 Nursing Facility Quality of Care Improvement Program is **adopted**.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on October 15, 2003 (28 MoReg 1838). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
AND SENIOR SERVICES**

**Division 30—Division of Health Standards and Licensure
Chapter 83—Definition of Terms**

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under sections 198.006, RSMo Supp. 2003 and 198.009, RSMo 2000, the department amends a rule as follows:

19 CSR 30-83.010 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 15, 2003 (28 MoReg 1839). The section with changes is reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Department of Health and Senior Services received two (2) comments on the proposed amendment.

COMMENT: An industry association sent a letter supporting the language included in the amendment.

RESPONSE: None required.

COMMENT: The second comment expressed a concern about individuals who are incompetent but who have not been declared mentally incompetent or incapacitated by a court. The commenter expressed concern that facilities would not be responsible for these residents if they leave a facility.

RESPONSE AND EXPLANATION OF CHANGE: Senate Bill 534, passed during the 92nd Legislative Session, added the statutory definitions of protective oversight and voluntary leave. The language in the proposed amendment mirrored the definition in Senate Bill 534 for voluntary leave, including the categories of individuals who can initiate a voluntary leave. The language in the proposed amendment was intended to mirror the definition of protective oversight set forth in Senate Bill 534. This comment did bring to the department's attention that the department inadvertently made a non-substantive variation to the statutory language in its amendment. The definition of protective oversight has been revised to exactly mirror the statutory definition. It is not within the department's statutory authority to change these definitions. Therefore, no changes are being made to the statutory definitions of protective oversight or voluntary leave.

19 CSR 30-83.010 Definition of Terms

(24) Protective oversight—Shall mean an awareness twenty-four (24) hours a day of the location of a resident, the ability to intervene on

behalf of the resident, the supervision of nutrition, medication, or actual provisions of care, and the responsibility for the welfare of the resident, except where the resident is on voluntary leave.

**Title 19—DEPARTMENT OF HEALTH
AND SENIOR SERVICES
Division 30—Division of Health Standards and Licensure
Chapter 85—Intermediate Care and Skilled Nursing
Facility**

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under sections 198.006, RSMo Supp. 2003 and 198.079, RSMo 2000, the department amends a rule as follows:

19 CSR 30-85.042 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 15, 2003 (28 MoReg 1839). The section with changes is reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS AND EXPLANATION OF CHANGE: No comments were received. However, a comment was received on a corresponding proposed rule amendment to 19 CSR 30-86.042 Administrative, Personnel and Resident Care Requirements for New and Existing Residential Care Facilities I and II regarding voluntary leave information requirements for residential care facilities. To ensure consistency between these two rules, the same changes are being made to this rule as are being made to 19 CSR 30-86.042.

**19 CSR 30-85.042 Administration and Resident Care
Requirements for New and Existing Intermediate Care and
Skilled Nursing Facilities**

(66) Each resident shall receive twenty-four (24)-hour protective oversight and supervision. For residents departing the premises on voluntary leave, the facility shall have, at a minimum, a procedure to inquire of the resident or resident's guardian of the resident's departure, of the resident's estimated length of absence from the facility, and of the resident's whereabouts while on voluntary leave. I/II

**Title 19—DEPARTMENT OF HEALTH
AND SENIOR SERVICES
Division 30—Division of Health Standards and Licensure
Chapter 86—Residential Care Facilities I and II**

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under sections 198.006, RSMo Supp. 2003 and 198.076, RSMo 2000, the department amends a rule as follows:

19 CSR 30-86.042 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 15, 2003 (28 MoReg 1839-1840). The section with changes is reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Department of Health and Senior Services received one (1) comment on the proposed amendment.

COMMENT: An industry association submitted a comment questioning the statutory authority of the department to require a facility to ensure that a resident provide information when departing the premises on a voluntary leave. They also indicated that a facility could not enforce such a rule because they do not have any authority to require that the resident provide the information.

RESPONSE AND EXPLANATION OF CHANGE: To balance the requirement to inquire of such information with the individual's right not to provide this information, the department has changed the proposed amendment by requiring the facility to have a procedure to inquire of the resident for the information, while at the same time allowing the resident to decline to provide such information if they so choose.

**19 CSR 30-86.042 Administrative, Personnel and Resident Care
Requirements for New and Existing Residential Care Facilities I
and II**

(35) Protective oversight shall be provided twenty-four (24) hours a day. For residents departing the premises on voluntary leave, the facility shall have, at a minimum, a procedure to inquire of the resident or resident's guardian of the resident's departure, of the resident's estimated length of absence from the facility, and of the resident's whereabouts while on voluntary leave. I/II

**Title 20—DEPARTMENT OF INSURANCE
Division 200—Financial Examination
Chapter 1—Financial Solvency and Accounting Standards**

ORDER OF RULEMAKING

By the authority vested in the director of the Missouri Department of Insurance under section 374.045, RSMo 2000, the director amends a rule as follows:

20 CSR 200-1.025 Valuation of Invested Assets is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1713-1714). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE
Division 200—Financial Examination
Chapter 1—Financial Solvency and Accounting Standards**

ORDER OF RULEMAKING

By the authority vested in the director of the Missouri Department of Insurance under section 374.045, RSMo 2000, the director amends a rule as follows:

20 CSR 200-1.030 Financial Statement and Diskette Filing is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1714). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE
Division 200—Financial Examination
Chapter 10—Managing General Agent (MGA)**

ORDER OF RULEMAKING

By the authority vested in the director of the Missouri Department of Insurance under section 374.045, RSMo 2000, the director amends a rule as follows:

20 CSR 200-10.100 Who Must File is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1714–1715). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE
Division 700—Licensing
Chapter 3—Education Requirements**

ORDER OF RULEMAKING

By the authority vested in the director of the Missouri Department of Insurance under section 374.045, RSMo 2000, the director amends a rule as follows:

20 CSR 700-3.200 Continuing Education is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2003 (28 MoReg 1716–1717). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

This section may contain notice of hearings, correction notices, public information notices, rule action notices, statements of actual costs and other items required to be published in the *Missouri Register* by law.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 100—Division of Credit Unions**

**APPLICATIONS FOR NEW GROUPS OR
GEOGRAPHIC AREAS**

Pursuant to section 370.081(4), RSMo 2000, the director of the Missouri Division of Credit Unions is required to cause notice to be published that the following credit unions have submitted applications to add new groups or geographic areas to their membership.

Credit Union	Proposed New Group or Geographic Area
Sikeston Public Schools Credit Union 814 Linn Street Sikeston, MO 63801	Employees and members of immediate family and organizations of such persons of Scott County R-V Public Schools in zip code 63801

NOTICE TO SUBMIT COMMENTS: Anyone may file a written statement in support of or in opposition to any of these applications. Comments shall be filed with: Director, Division of Credit Unions, PO Box 1607, Jefferson City, MO 65102. To be considered, written comments must be submitted no later than ten (10) business days after publication of this notice in the Missouri Register.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 32—Telecommunications Service**

IN ADDITION

- 4 CSR 240-32.180 Definitions—Caller Identification Blocking Service**
4 CSR 240-32.190 Standards for Providing Caller Identification Blocking Service

Notices of proposed rulemaking were published in the *Missouri Register* on December 15, 2003 (28 MoReg 2221-2222). Comments for these rules will be considered by the commission office until January 31, 2004, rather than December 31 as published in the Notice to Submit Comments.

NOTICE TO SUBMIT COMMENTS: Anyone may file comments in support of or in opposition to these proposed rules with the Missouri Public Service Commission, Dale Hardy Roberts, Secretary of the Commission, PO Box 360, Jefferson City, MO 65102. To be considered, comments must be received at the commission's offices on or before January 31, 2004, and should include a reference to Commission Case No. TX-2004-0206. If comments are submitted via a paper filing, an original and eight (8) copies of the comments are required. Comments may also be submitted via a filing using the commission's electronic filing and information system at <<http://www.psc.state.mo.us/efis.asp>>. No public hearing was scheduled.

**Title 19—DEPARTMENT OF HEALTH
AND SENIOR SERVICES
Division 60—Missouri Health Facilities Review Committee
Chapter 50—Certificate of Need Program**

EXPEDITED APPLICATION REVIEW SCHEDULE

The Missouri Health Facilities Review Committee has initiated review of the application listed below. A decision is tentatively scheduled for January 23, 2004. This application is available for public inspection at the address shown below:

Date Filed

Project Number: Project Name
City (County)
Cost, Description

11/07/03

#3562 RP: Victorian Manor
Belle (Osage County)
\$11, Long-term care bed expansion through the purchase of 11 residential care facility I beds

Any person wishing to request a public hearing for the purpose of commenting on this application must submit a written request to this effect, which must be received by January 12, 2004. All written requests and comments should be sent to:

Chairman
Missouri Health Facilities Review Committee
c/o Certificate of Need Program
915 G Leslie Boulevard
Jefferson City, MO 65101

For additional information contact
Donna Schuessler, 573-751-6403.

The Secretary of State is required by sections 347.141 and 359.481, RSMo 2000 to publish dissolutions of limited liability companies and limited partnerships. The content requirements for the one-time publishing of these notices are prescribed by statute. This listing is published pursuant to these statutes. We request that documents submitted for publication in this section be submitted in camera ready 8 1/2" x 11" manuscript.

**NOTICE OF WINDING UP OF LIMITED LIABILITY COMPANY
TO ALL CREDITORS OF AND CLAIMANTS AGAINST
B ROUND, L.L.C.**

On December 1, 2003, a Missouri limited liability company, filed its Notice of Winding Up with the Missouri Secretary of State, effective on the filing date.

All persons and organizations with claims against said limited liability company must submit in writing to, c/o Frank C. Carnahan, Esq., Carnahan, Evans, Cantwell & Brown, P.C., 2805 S. Ingram Mill, Springfield, Missouri 65804, a summary of the claim, including: 1) claimant's name, address and telephone number; 2) amount of claim; 3) date(s) claim accrued (or will accrue); 4) brief description of the nature of the debt or the basis for the claim; and 5) if the claim is secured, and if so, the collateral used as security.

Because of the dissolution, any claims against will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the last of filing or publication of Notice of Winding Up.

**NOTICE OF DISSOLUTION
OF LIMITED LIABILITY COMPANY
TO ALL CREDITORS OF AND CLAIMANTS AGAINST
LANDAU BOATS II, LLC**

On October 3, 2003, Landau Boats II, LLC, a Missouri limited liability company, ("Company"), filed its Notice of Winding Up with the Missouri Secretary of State.

The Company requests that persons with claims against it present them immediately, by letter, to: Michael Morgan LLC, 11710 Administration Drive, Suite Two, St. Louis, Missouri 63146. Each claim must include: amount of the claim, basis for the claim, and documentation of the claim.

A claim against the Company will be barred unless a proceeding to enforce the claim is commenced within three years after the publication of this notice.

**NOTICE OF DISSOLUTION TO ALL CREDITORS AND
CLAIMANTS AGAINST A.K. GIBBON LUMBER CO., INC.**

A.K. GIBBON LUMBER CO., Inc. was dissolved on the Fourteenth (14th) day of July, 2003. Any and all claims against A.K. GIBBON LUMBER CO., Inc. may be sent to Jane L. Stafford, Spencer Fane Britt & Browne LLP, 1000 Walnut Street, Suite 1400, Kansas City, Missouri 64106. Each claim should include the following: the name, address, and telephone number of the claimant; amount of the claim; and the basis of the claim. Any and all claims against A.K. GIBBON LUMBER CO., Inc. will be barred unless a proceeding to enforce the claim is commenced within two (2) years after the date of this publication.

NOTICE TO THE CREDITORS OF HIGH FAMILY LIMITED PARTNERSHIP

You are hereby notified that High Family Limited Partnership, a Missouri Limited Partnership, the principal office of which is located at Box 818, Camdenton, Missouri 65020; ("the Limited Partnership") filed its Certificate of Cancellation with the Missouri Secretary of State.

Any claims against the Limited Partnership may be sent to: High Family Limited Partnership c/o Kristy Runk Bryan, Esq., 1911 S. National Ave, Ste. 303, Springfield, Mo 65804. Each claim must include the following: the name, address and phone number of the claimant, the amount claimed; the date on which the claim arose; the basis for the claim; and, documentation of the claim.

All claims against the Limited Partnership will be barred unless the proceeding to enforce the claim is commenced within three (3) years after the publication of this notice.

**NOTICE OF WINDING UP OF LIMITED LIABILITY COMPANY
TO ALL CREDITORS AND CLAIMANTS AGAINST
MIDWEST CANCER CARE, L.L.C.**

Notice is hereby given that Midwest Cancer Care, L.L.C., a Missouri limited liability company, agreed to dissolve on December 12, 2003 and filed its Notice of Winding Up with the Missouri Secretary of State on December 15, 2003. In accordance with the Notice of Winding Up filed with the Missouri Secretary of State, any and all claims against Midwest Cancer Care, L.L.C. should be sent by mail to Mark Leicht, c/o Dotzauer, Runde, Leicht & Bushur, LLP, 424 South Woods Mill Road, Suite 320, Chesterfield, Missouri 63017.

Each claim must include: (1) the name, address and telephone number of the claimant; (2) the amount of the claim; (3) the basis for the claim; (4) the date(s) on which the event occurred which provided the basis for the claim; and (5) copies of any supporting data. Any and all claims against Midwest Cancer Care, L.L.C. will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the date of the publication of this notice.

NOTICE OF WINDING UP TO ALL CREDITORS OF AND CLAIMANTS AGAINST KALLSTROM US, L.L.C., a
Missouri limited liability company

On November 14, 2003, Kallstrom US, L.L.C., a Missouri limited liability company, filed its notice of winding up with the Missouri Secretary of State.

Said company requests that all persons and organizations having claims against it present their claims in writing to the company addressed to: Kallstrom US, L.L.C., c/o James E. Breer, 478 Xavier Ct., Valley Park, MO 63088.

All claims must include the name, address, and telephone number of the creditor or claimant; the amount of the claim; the basis for the claim; documentation of the claim; the date(s) of the event(s) giving rise to the claim.

NOTICE: Any claim against said company will be barred unless a proceeding to enforce the claim is commenced within three years after the date of the publication of this notice.

Rule Changes Since Update to Code of State Regulations

This cumulative table gives you the latest status of rules. It contains citations of rulemakings adopted or proposed after deadline for the monthly Update Service to the *Code of State Regulations*, citations are to volume and page number in the *Missouri Register*, except for material in this issue. The first number in the table cite refers to the volume number or the publication year—27 (2002), 28 (2003) and 29 (2004). MoReg refers to *Missouri Register* and the numbers refer to a specific *Register* page, R indicates a rescission, W indicates a withdrawal, S indicates a statement of actual cost, T indicates an order terminating a rule, N.A. indicates not applicable, RUC indicates a rule under consideration, and F indicates future effective date.

Rule Number	Agency	Emergency	Proposed	Order	In Addition
1 CSR 10	OFFICE OF ADMINISTRATION State Officials' Salary Compensation Schedule				27 MoReg 189 27 MoReg 1724 28 MoReg 1861
1 CSR 10-4.010	Commissioner of Administration		28 MoReg 1557		
1 CSR 10-18.010	Commissioner of Administration	28 MoReg 1615	28 MoReg 1482	This Issue	
1 CSR 20-2.015	Personnel Advisory Board and Division of Personnel		28 MoReg 1560	This Issue	
1 CSR 20-3.070	Personnel Advisory Board and Division of Personnel		28 MoReg 1560	This Issue	
1 CSR 20-5.020	Personnel Advisory Board and Division of Personnel		28 MoReg 1561	This Issue	
1 CSR 35-1.050	Division of Facilities Management	28 MoReg 1983	28 MoReg 1990		
1 CSR 35-2.030	Division of Facilities Management	28 MoReg 1984	28 MoReg 1993		
	DEPARTMENT OF AGRICULTURE				
2 CSR 10-2.010	Market Development		28 MoReg 2087		
2 CSR 30-2.040	Animal Health		28 MoReg 711		
2 CSR 70-13.030	Plant Industries	28 MoReg 1553	28 MoReg 1561		
2 CSR 90-11.010	Weights and Measures	28 MoReg 2207	28 MoReg 2211		
2 CSR 90-30.050	Weights and Measures		28 MoReg 2211		
2 CSR 100-6.010	Missouri Agriculture and Small Business Development Authority		28 MoReg 1762		
	DEPARTMENT OF CONSERVATION				
3 CSR 10-4.110	Conservation Commission		28 MoReg 1995		
3 CSR 10-5.205	Conservation Commission		28 MoReg 1995		
3 CSR 10-5.215	Conservation Commission		28 MoReg 1995		
3 CSR 10-5.310	Conservation Commission		28 MoReg 1996		
3 CSR 10-5.320	Conservation Commission		28 MoReg 1996		
3 CSR 10-5.330	Conservation Commission		28 MoReg 1996		
3 CSR 10-5.340	Conservation Commission		28 MoReg 1997		
3 CSR 10-5.345	Conservation Commission		28 MoReg 1999		
3 CSR 10-5.365	Conservation Commission		28 MoReg 2001		
3 CSR 10-5.375	Conservation Commission		28 MoReg 2003		
3 CSR 10-5.420	Conservation Commission		28 MoReg 2005		
3 CSR 10-5.440	Conservation Commission		28 MoReg 2007		
3 CSR 10-5.445	Conservation Commission		28 MoReg 2009		
3 CSR 10-5.470	Conservation Commission		28 MoReg 2011R		
3 CSR 10-5.570	Conservation Commission		28 MoReg 2011		
3 CSR 10-6.415	Conservation Commission		28 MoReg 2011		
3 CSR 10-6.505	Conservation Commission		28 MoReg 2011		
3 CSR 10-6.510	Conservation Commission		28 MoReg 2012		
3 CSR 10-6.525	Conservation Commission		28 MoReg 2012		
3 CSR 10-6.530	Conservation Commission		28 MoReg 2013		
3 CSR 10-7.405	Conservation Commission		28 MoReg 2013		
3 CSR 10-7.410	Conservation Commission		28 MoReg 2013		
3 CSR 10-7.425	Conservation Commission		28 MoReg 2014		
3 CSR 10-7.450	Conservation Commission		28 MoReg 2014		
3 CSR 10-7.455	Conservation Commission		28 MoReg 2089		
3 CSR 10-8.505	Conservation Commission		28 MoReg 2089		
3 CSR 10-8.510	Conservation Commission		28 MoReg 2015		
3 CSR 10-8.515	Conservation Commission		28 MoReg 2015		
3 CSR 10-9.110	Conservation Commission		28 MoReg 2017		
3 CSR 10-9.220	Conservation Commission		28 MoReg 2212		
3 CSR 10-9.565	Conservation Commission		28 MoReg 2018		
3 CSR 10-9.575	Conservation Commission		28 MoReg 2019		
3 CSR 10-9.625	Conservation Commission		28 MoReg 2019		
3 CSR 10-9.628	Conservation Commission		28 MoReg 2020		
3 CSR 10-10.720	Conservation Commission		28 MoReg 2020		
3 CSR 10-10.767	Conservation Commission		28 MoReg 2020		
3 CSR 10-10.768	Conservation Commission		28 MoReg 2021		
3 CSR 10-11.180	Conservation Commission		28 MoReg 2021		
3 CSR 10-11.205	Conservation Commission		28 MoReg 2021		
3 CSR 10-11.210	Conservation Commission		28 MoReg 2022		
3 CSR 10-11.215	Conservation Commission		28 MoReg 2022		
3 CSR 10-12.110	Conservation Commission		28 MoReg 2023		
3 CSR 10-12.115	Conservation Commission		28 MoReg 2023		
3 CSR 10-12.125	Conservation Commission		28 MoReg 2023		
3 CSR 10-12.135	Conservation Commission		28 MoReg 2024		

Rule Number	Agency	Emergency	Proposed	Order	In Addition
3 CSR 10-12.140	Conservation Commission		28 MoReg 2024		
3 CSR 10-12.145	Conservation Commission		28 MoReg 2025		
3 CSR 10-20.805	Conservation Commission		28 MoReg 2025		
DEPARTMENT OF ECONOMIC DEVELOPMENT					
4 CSR 10-1.010	Missouri State Board of Accountancy		28 MoReg 2089		
4 CSR 10-1.030	Missouri State Board of Accountancy		28 MoReg 2090		
4 CSR 10-1.040	Missouri State Board of Accountancy		28 MoReg 2091R		
4 CSR 10-2.005	Missouri State Board of Accountancy		28 MoReg 2091R 28 MoReg 2091		
4 CSR 10-2.010	Missouri State Board of Accountancy		28 MoReg 2092R		
4 CSR 10-2.021	Missouri State Board of Accountancy		28 MoReg 2093R		
4 CSR 10-2.030	Missouri State Board of Accountancy		28 MoReg 2093R		
4 CSR 10-2.041	Missouri State Board of Accountancy		28 MoReg 2093		
4 CSR 10-2.042	Missouri State Board of Accountancy		28 MoReg 2094R		
4 CSR 10-2.051	Missouri State Board of Accountancy		28 MoReg 2094		
4 CSR 10-2.061	Missouri State Board of Accountancy		28 MoReg 2099		
4 CSR 10-2.062	Missouri State Board of Accountancy		28 MoReg 2100R		
4 CSR 10-2.070	Missouri State Board of Accountancy		28 MoReg 2101		
4 CSR 10-2.072	Missouri State Board of Accountancy		28 MoReg 2102		
4 CSR 10-2.075	Missouri State Board of Accountancy		28 MoReg 2105		
4 CSR 10-2.095	Missouri State Board of Accountancy		28 MoReg 2108		
4 CSR 10-2.101	Missouri State Board of Accountancy		28 MoReg 2109		
4 CSR 10-2.111	Missouri State Board of Accountancy		28 MoReg 2110R		
4 CSR 10-2.112	Missouri State Board of Accountancy		28 MoReg 2110R		
4 CSR 10-2.115	Missouri State Board of Accountancy		28 MoReg 2110R		
4 CSR 10-2.120	Missouri State Board of Accountancy		28 MoReg 2111R		
4 CSR 10-2.130	Missouri State Board of Accountancy		28 MoReg 2111		
4 CSR 10-2.135	Missouri State Board of Accountancy		28 MoReg 2112		
4 CSR 10-2.140	Missouri State Board of Accountancy		28 MoReg 2112		
4 CSR 10-2.150	Missouri State Board of Accountancy		28 MoReg 2115		
4 CSR 10-2.160	Missouri State Board of Accountancy		28 MoReg 2115		
4 CSR 10-2.180	Missouri State Board of Accountancy		28 MoReg 2116R		
4 CSR 10-2.190	Missouri State Board of Accountancy		28 MoReg 2116R		
4 CSR 10-2.200	Missouri State Board of Accountancy		28 MoReg 2116		
4 CSR 10-2.210	Missouri State Board of Accountancy		28 MoReg 2117R		
4 CSR 10-2.215	Missouri State Board of Accountancy		28 MoReg 2117R		
4 CSR 10-3.010	Missouri State Board of Accountancy		28 MoReg 2117		
4 CSR 10-3.020	Missouri State Board of Accountancy		28 MoReg 2118R		
4 CSR 10-3.030	Missouri State Board of Accountancy		28 MoReg 2118R		
4 CSR 10-3.040	Missouri State Board of Accountancy		28 MoReg 2119R		
4 CSR 10-3.060	Missouri State Board of Accountancy		28 MoReg 2119		
4 CSR 10-4.010	Missouri State Board of Accountancy		28 MoReg 2120R 28 MoReg 2120		
4 CSR 10-4.020	Missouri State Board of Accountancy		28 MoReg 2124R 28 MoReg 2124		
4 CSR 10-4.030	Missouri State Board of Accountancy		28 MoReg 2124R		
4 CSR 10-4.031	Missouri State Board of Accountancy		28 MoReg 2124		
4 CSR 10-4.040	Missouri State Board of Accountancy		28 MoReg 2125R		
4 CSR 10-4.041	Missouri State Board of Accountancy		28 MoReg 2125		
4 CSR 10-4.050	Missouri State Board of Accountancy		28 MoReg 2125R		
4 CSR 10-5.070	Missouri State Board of Accountancy		28 MoReg 2126		
4 CSR 10-5.080	Missouri State Board of Accountancy		28 MoReg 2126		
4 CSR 10-5.090	Missouri State Board of Accountancy		28 MoReg 2130		
4 CSR 10-5.100	Missouri State Board of Accountancy		28 MoReg 2130		
4 CSR 10-5.110	Missouri State Board of Accountancy		28 MoReg 2131		
4 CSR 30-3.020	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		28 MoReg 1483R	This IssueR	
4 CSR 30-3.030	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		28 MoReg 1483R	This IssueR	
4 CSR 30-3.040	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		28 MoReg 1484R	This IssueR	
4 CSR 30-3.050	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		28 MoReg 1484R	This IssueR	
4 CSR 30-3.060	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		28 MoReg 1484	This Issue	
4 CSR 30-4.060	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		28 MoReg 1762R 28 MoReg 1763		

Rule Number	Agency	Emergency	Proposed	Order	In Addition
4 CSR 30-4.090	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		28 MoReg 1765		
4 CSR 30-5.140	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		28 MoReg 1767		
4 CSR 30-5.150	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		28 MoReg 1767		
4 CSR 30-6.015	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		28 MoReg 1769		
4 CSR 30-6.020	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		28 MoReg 1769		
4 CSR 60-1.040	State Board of Barber Examiners		28 MoReg 1487	28 MoReg 2261	
4 CSR 60-4.015	State Board of Barber Examiners		28 MoReg 1491	28 MoReg 2261	
4 CSR 70-1.010	State Board of Chiropractic Examiners		28 MoReg 1491R	28 MoReg 2261R	
			28 MoReg 1492	28 MoReg 2261	
4 CSR 70-2.020	State Board of Chiropractic Examiners		28 MoReg 1492	28 MoReg 2262	
4 CSR 70-2.030	State Board of Chiropractic Examiners		28 MoReg 1492	28 MoReg 2262	
4 CSR 70-2.040	State Board of Chiropractic Examiners		28 MoReg 1492	28 MoReg 2262	
4 CSR 70-2.045	State Board of Chiropractic Examiners		28 MoReg 1495	28 MoReg 2262	
4 CSR 70-2.050	State Board of Chiropractic Examiners		28 MoReg 1495	28 MoReg 2262	
4 CSR 70-2.060	State Board of Chiropractic Examiners		28 MoReg 1496	28 MoReg 2262	
4 CSR 70-2.065	State Board of Chiropractic Examiners		28 MoReg 1499	28 MoReg 2263	
4 CSR 70-2.070	State Board of Chiropractic Examiners		28 MoReg 1499	28 MoReg 2263	
4 CSR 70-2.080	State Board of Chiropractic Examiners		28 MoReg 1500	28 MoReg 2263	
4 CSR 70-2.081	State Board of Chiropractic Examiners		28 MoReg 1501	28 MoReg 2263	
4 CSR 70-2.090	State Board of Chiropractic Examiners		28 MoReg 1502	28 MoReg 2263	
4 CSR 70-2.100	State Board of Chiropractic Examiners		28 MoReg 1505	28 MoReg 2263	
4 CSR 70-3.010	State Board of Chiropractic Examiners		28 MoReg 1506	28 MoReg 2264	
4 CSR 70-4.010	State Board of Chiropractic Examiners		This Issue		
4 CSR 70-4.030	State Board of Chiropractic Examiners		This Issue		
4 CSR 90-3.010	State Board of Cosmetology		28 MoReg 2133		
4 CSR 90-5.010	State Board of Cosmetology		28 MoReg 2133		
4 CSR 90-7.010	State Board of Cosmetology		28 MoReg 2133		
4 CSR 90-8.010	State Board of Cosmetology		28 MoReg 2134		
4 CSR 90-10.010	State Board of Cosmetology		28 MoReg 2134		
4 CSR 90-11.010	State Board of Cosmetology		28 MoReg 2134		
4 CSR 90-12.020	State Board of Cosmetology		28 MoReg 2137		
4 CSR 90-12.070	State Board of Cosmetology		28 MoReg 2137		
4 CSR 90-13.010	State Board of Cosmetology		28 MoReg 2137		
4 CSR 100	Division of Credit Unions				28 MoReg 1956 28 MoReg 2057 29 MoReg 55 This Issue
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20 CSR 200-1.030	Financial Examination		28 MoReg 1714	This Issue	
20 CSR 200-10.100	Financial Examination		28 MoReg 1714	This Issue	
20 CSR 400-7.200	Life, Annuities and Health		28 MoReg 1715		
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1 CSR 35-1.050	Public Use of State Facilities	28 MoReg 1983	April 15, 2004
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1 CSR 35-2.030	Administration of the Leasing Process	28 MoReg 1984	April 15, 2004
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2 CSR 70-13.030	Program Participation, Fee Payment and Penalties	28 MoReg 1553	February 16, 2004
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4 CSR 240-32.180	Definitions—Caller Identification Blocking Service	28 MoReg 1891	April 2, 2004
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4 CSR 240-32.190	Standards for Providing Caller Identification Blocking Service	28 MoReg 1891	April 2, 2004
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7 CSR 10-3.040	Division of Relocation Costs	28 MoReg 1173	February 26, 2004
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7 CSR 10-25.010	Skill Performance Evaluation Certificates for Commercial Drivers	28 MoReg 1173	February 26, 2004
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13 CSR 40-2.310	Requirements as to Eligibility for Temporary Assistance	28 MoReg 1421	January 27, 2004
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13 CSR 40-2.380	Grandparents as Foster Parents	28 MoReg 1421	January 27, 2004
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13 CSR 40-19.020	Low Income Home Energy Assistance Program	28 MoReg 1892	March 28, 2004
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13 CSR 70-15.110	Federal Reimbursement Allowance (FRA)	28 MoReg 1755	March 15, 2004
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15 CSR 30-50.010	Definitions	28 MoReg 1616	March 9, 2004
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15 CSR 30-50.020	General Instructions	28 MoReg 1617	March 9, 2004
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15 CSR 30-50.030	Fees	28 MoReg 1617	March 9, 2004
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15 CSR 30-50.040	Forms	28 MoReg 1618	March 9, 2004
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15 CSR 30-51.010	General Instructions	28 MoReg 1619	March 9, 2004
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15 CSR 30-51.030	Examination Requirement	28 MoReg 1620	March 9, 2004
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15 CSR 30-51.040	Financial Statements	28 MoReg 1621	March 9, 2004
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15 CSR 30-51.050	Net Capital Requirements for Broker-Dealers	28 MoReg 1621	March 9, 2004
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15 CSR 30-51.070	Minimum Net Worth Requirements for Investment Advisers	28 MoReg 1623	March 9, 2004
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15 CSR 30-51.100	Custody of Securities or Funds by Investment Advisers	28 MoReg 1623	March 9, 2004
15 CSR 30-51.110	Confirmations	28 MoReg 1624	March 9, 2004
15 CSR 30-51.120	Records Required of Broker-Dealers	28 MoReg 1624	March 9, 2004
15 CSR 30-51.120	Records Required of Broker-Dealers	28 MoReg 1624	March 9, 2004
15 CSR 30-51.130	Records to be Preserved by Broker-Dealers	28 MoReg 1625	March 9, 2004
15 CSR 30-51.130	Records to be Preserved by Broker-Dealers	28 MoReg 1625	March 9, 2004
15 CSR 30-51.140	Records Required of Investment Advisers	28 MoReg 1625	March 9, 2004
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15 CSR 30-51.150	Records to be Preserved by Investment Advisers	28 MoReg 1628	March 9, 2004
15 CSR 30-51.160	Effectiveness and Post-Effective Requirements	28 MoReg 1628	March 16, 2004
15 CSR 30-51.165	Networking Arrangements between Broker-Dealers and Banks, Trust Companies or Savings Institutions	28 MoReg 1630	March 9, 2004
15 CSR 30-51.169	Fraudulent Practices of Broker-Dealers and Agents	28 MoReg 1630	March 9, 2004
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15 CSR 30-52.260	Suggested Form of Offer of Refund (Rescission)	28 MoReg 1637	March 9, 2004
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15 CSR 30-54.050	Railroad, Other Common Carrier, Public Utility and Holding Company Securities	28 MoReg 1644	March 9, 2004
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15 CSR 30-54.070	NASAA Statements of Policy (Exemptions)	28 MoReg 1644	March 9, 2004
15 CSR 30-54.070	Not-for-Profit Securities	28 MoReg 1645	March 9, 2004
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15 CSR 30-54.183	Exemption for Reporting Company Securities	28 MoReg 1650	March 9, 2004
15 CSR 30-54.190	Agricultural Cooperative Association Securities	28 MoReg 1650	March 9, 2004
15 CSR 30-54.190	New Generation Processing Entity	28 MoReg 1650	March 9, 2004
15 CSR 30-54.210	Notice Filings for Transactions under Regulation D, Rules 505 and 506	28 MoReg 1651	March 9, 2004
15 CSR 30-54.215	Accredited Investor Exemption	28 MoReg 1652	March 9, 2004
15 CSR 30-54.220	Transaction Exemption for Securities Listed on Certain Quotation Systems	28 MoReg 1652	March 9, 2004
15 CSR 30-54.250	Missouri Qualified Fund Exemption	28 MoReg 1654	March 9, 2004
15 CSR 30-54.260	Foreign Issuer Exemption	28 MoReg 1655	March 9, 2004
15 CSR 30-54.290	Canadian-United States Cross-Border Trading Exemption	28 MoReg 1655	March 9, 2004
15 CSR 30-55.010	Who May Request	28 MoReg 1656	March 9, 2004
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15 CSR 30-55.025	General Prehearing Procedures	28 MoReg 1657	March 9, 2004
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15 CSR 30-55.110	Motions, Suggestions and Legal Briefs	28 MoReg 1659	March 9, 2004
15 CSR 30-55.220	Hearing Officers	28 MoReg 1660	March 9, 2004

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19 CSR 15-4.060 State Long-Term Care Ombudsman Program 28 MoReg 1756 March 19, 2004

Division of Health Standards and Licensure

19 CSR 30-82.015 Long-Term Care Receiverships 28 MoReg 1756 March 19, 2004

19 CSR 30-82.060 Hiring Restrictions—Good Cause Waiver 28 MoReg 1986 April 22, 2004

19 CSR 30-82.080 Nursing Facility Quality of Care Improvement Program 28 MoReg 1757 March 19, 2004

19 CSR 30-83.010 Definitions of Terms 28 MoReg 1758 March 19, 2004

19 CSR 30-85.042 Administration and Resident Care Requirements for New and Existing
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19 CSR 30-86.042 Administrative, Personnel and Resident Care Requirements for New and
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22 CSR 10-2.020 Membership Agreement and Participation Period This Issue June 29, 2004

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03-02	Establishes the Division of Family Support in the Dept. of Social Services	February 5, 2003	28 MoReg 298
03-03	Establishes the Children's Division in the Dept. of Social Services	February 5, 2003	28 MoReg 300
03-04	Transfers all TANF functions to the Division of Workforce Development in the Dept. of Economic Development	February 5, 2003	28 MoReg 302
03-05	Transfers the Division of Highway Safety to the Dept. of Transportation	February 5, 2003	28 MoReg 304
03-06	Transfers the Minority Business Advocacy Commission to the Office of Administration	February 5, 2003	28 MoReg 306
03-07	Creates the Commission on the Future of Higher Education	March 17, 2003	28 MoReg 631
03-08	Lists Governor's staff who have supervisory authority over departments	September 4, 2003	28 MoReg 1556
03-09	Lists Governor's staff who have supervisory authority over departments	March 18, 2003	28 MoReg 633
03-10	Creates the Missouri Energy Policy Council	March 13, 2003	28 MoReg 634
03-11	Creates the Citizens Advisory Committee on Corrections	April 1, 2003	28 MoReg 705
03-12	Declares disaster areas due to May 4 tornadoes	May 5, 2003	28 MoReg 950
03-13	Calls National Guard to assist in areas harmed by the May 4 tornadoes	May 5, 2003	28 MoReg 952
03-14	Temporarily suspends enforcement of environmental rules due to the May 4th [et al.] tornadoes	May 7, 2003	28 MoReg 954
03-15	Establishes the Missouri Small Business Regulatory Fairness Board	August 25, 2003	28 MoReg 1477
03-16	Establishes the Missouri Commission on Patient Safety	October 1, 2003	28 MoReg 1760
03-17	Creates the Governor's Committee to End Chronic Homelessness	October 8, 2003	28 MoReg 1899
03-18	Designates the Missouri State Highway Patrol within the Department of Public Safety as lead agency in state communications	December 10, 2003	29 MoReg 7
03-19	Creates the Public Safety Communications Committee	December 10, 2003	29 MoReg 9
03-20	Requires configuration of two-way radios used by agencies of the state of Missouri to include established interoperability channels as specified by the State Interoperability Executive Committee	December 10, 2003	29 MoReg 12
03-21	Closes state offices Friday, November 28 and Friday, December 26, 2003	October 24, 2003	28 MoReg 1989
03-22	Establishes the Missouri Sexual Offender Registration Task Force	December 10, 2003	29 MoReg 14
03-23	Adds the functions of a State Citizen Council to the Disaster Recovery Partnership	December 10, 2003	29 MoReg 16
03-24	Establishes the Governor's Commission on Hispanic Affairs	November 8, 2003	28 MoReg 2085
03-25	Requires state agencies to adopt cyber security policies and procedures. Designates the Office of Information Technology as principal forum to improve policies and procedures	December 10, 2003	29 MoReg 18
03-26	Reestablishes the Office of Information Technology as the mechanism for coordinating information technology initiatives for the state	December 10, 2003	29 MoReg 21
03-27	Use of Missouri products and services	December 2, 2003	28 MoReg 2209

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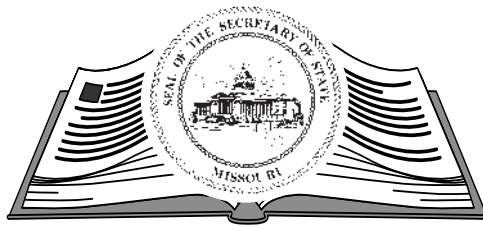


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